

1 BILL NO. G-84-06-22

2 GENERAL ORDINANCE NO. G-17-84

3 AN ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE  
4 MUNICIPAL CODE AND SUBSTITUTING AND ENACTING THEREFOR  
5 A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWERAGE SYSTEM"  
6 FOR THE PURPOSE OF ADJUSTING RATES AND OTHER PROVISIONS  
7 SET FORTH THEREIN.

8 WHEREAS, the Common Council now finds that the fees  
9 charged for services rendered by the Sewage Works owned and  
10 operated by the City of Fort Wayne are not sufficient to maintain  
11 the Sewage Works in the sound physical and financial condition  
12 necessary to render adequate and sufficient service and that  
13 said fees are not sufficient to pay all expenses to operate and  
14 maintain the Works; to pay interest charges on bonds or other  
15 obligations; to provide the sinking fund required for revenue  
16 bonds heretofore issued; to provide adequate money to be used  
17 as working capital; to provide adequate money for improving and  
18 replacing the Works; and to provide the amount of money suffi-  
19 cient to compensate the City for the property taxes that would  
20 be paid on the Sewage Works if the Sewage Works were privately  
21 owned; and,

22 WHEREAS, certain terms and conditions incident to the  
23 rendering of efficient and non-discriminatory service to users  
24 of the Sewage Works should be amended and revised to reflect  
25 current operating conditions; and,

26 WHEREAS, the City of Fort Wayne has been mandated by  
27 state and federal regulatory authorities to adopt and enforce  
28 pretreatment standards and requirements for certain of its  
29 contributing industrial users thereby causing in future periods  
30 a reduction in the strength and toxicity of effluent discharged  
31 to City sewers by said industrial users;

32 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA:



1           SECTION 1. That Chapter 24 of the Municipal Code of  
2 the City of Fort Wayne, Indiana, as presently enacted, is  
3 repealed in its entirety and substituted therefor shall be an  
4 amended and revised Chapter 24 as attached hereto and made a  
5 part of this Ordinance.

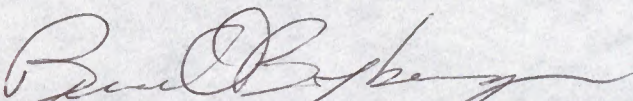
6           SECTION 2. That this Ordinance be adopted after a  
7 public hearing has been held pursuant to I.C. 36-9-23-26 and  
8 duly published notice thereof pursuant to I.C. 5-3-1.

9           SECTION 3. That in addition to the "Annual Review of  
10 Service Charges" prescribed in Sec. 24-35 of Chapter 24 that  
11 the Sewage Works undertake a study of strength of waste discharges  
12 of its contributing industrial users for a period of one (1)  
13 year commencing July 1, 1984 for the purpose of establishing  
14 pretreatment credits which may be applicable to said industrial  
15 users. A schedule of pretreatment rate credits, if deemed to  
16 be justified in accordance with Sec. 24-35a of Chapter 24 will  
17 be presented for consideration to the Common Council no later  
18 than 90 days after June 30, 1985.

19           SECTION 4. That this Ordinance shall be in full force  
20 and effect upon passage and approval by the Mayor.

21  
22   
23 COUNCILMAN

24 APPROVED AS TO FORM AND LEGALITY  
25 THIS 25 DAY OF June, 1984.

26   
27 Bruce O. Boxberger, City Attorney  
28  
29  
30  
31  
32



Read the first time in full and on motion by Henry,  
seconded by Redd, and duly adopted, read the second time  
by title and referred to the Committee City of State (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on Tuesday, the 10th day of  
July, 1984, at 7:30 o'clock P.M., E.S.

DATE:

6-26-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry,  
seconded by Redd, and duly adopted, placed on its  
passage. **PASSED** (**LOST**) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>2</u>			
<u>BRADBURY</u>	<u>✓</u>				
<u>BURNS</u>		<u>✓</u>			
<u>EISBART</u>	<u>✓</u>				
<u>GIAQUINTA</u>	<u>✓</u>				
<u>HENRY</u>	<u>✓</u>				
<u>REDD</u>	<u>✓</u>				
<u>SCHMIDT</u>		<u>✓</u>			
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE:

7-24-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ (GENERAL)  
(SPECIAL) ~~(ZONING MAP)~~ ORDINANCE (RESOLUTION) NO. D-17-84  
on the 24th day of July, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 25th day of July, 1984,  
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of July,  
1984, at the hour of 3:00 o'clock PM.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



## CHAPTER 24

### SEWERS AND SEWERAGE SYSTEM

#### Article I. General

##### Sec. 24-1. Definitions.

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the rules and regulations adopted by the Board of Public Works implementing the provisions of this Chapter are as set out below respectively:

- 101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at I.C. 13-1-4-1.
- 102. "Applicable Pretreatment Standards" - Any pretreatment limit or prohibitive standard (Federal, State, and/or Local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.
- 103. "Biochemical Oxygen Demand (BOD)" - the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters, or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 138 below).
- 104. "Building (or House) Drain": that part of the lowest horizontal piping of a building drainage system that receives the discharge from soil, waste, or other drainage pipes inside the walls of the building and conveys it to a point outside the foundation wall of the building.
- 105. "Building (or House) Drain Connection": the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.
- 106. "Building (or House) Sewer" - the pipe which is connected to the Building (or House) drain at a point 3± feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.
- 107. "Building (or House) Sewer Connection" - the point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:



- 107.1 Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.
- 107.2 Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.
- 108. "Bulk Waste" - any containerized solid, liquid or gaseous substance discarded or to be discarded as worthless, defective, or of no use to the person discarding said substance.
- 109. "Chemical Oxygen Demand (COD)" - a measure of the oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."
- 110. "City" - the City of Fort Wayne, Indiana.
- 111. "Classification of Users"
- 111.1 "Domestic Class User" - a user discharging only normal domestic sewage, as herein defined, into the system.
- 111.2 "Commercial Class User" - a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control.
- 111.3 "Industrial Class User" - a user falling within Divisions A, B, D, E, or I of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget, as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce primarily segregated domestic waste or waste from sanitary conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of waste or toxics in excess of limits described hereinafter.



- 112. "Dwelling": a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.
- 113. "Effluent" - the water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.
- 114. "Emergency" - an unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.
- 115. "Garbage" - any solid wastes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.
- 116. "Ground Garbage" - garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half ( $\frac{1}{2}$ ) inch in any dimension.
- 117. "Industrial Wastes" - any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation or process from the development, recovery or processing of any natural resource carried on by any person.
- 118. "Influent" - the water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.
- 119. "Major Industrial User" - a user of the City-owned treatment works that: (a) has a flow of 50,000 gallons of water or more per average work day; (b) has a flow of waste greater than 5% of the flow carried by any part of the City system receiving the waste; (c) has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (a) of the Federal Act; or (d) is found by the Indiana Stream Pollution Control Board, in connection with the issuance of the NPDES Permit to the City-owned treatment works receiving the waste, to have significant impact whether singularly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.
- 120. "Normal Domestic Sewage" - sewage having an average daily suspended solids concentration of not more than 300 milligrams per liter, an average daily BOD concentration



of not more than 300 milligrams per liter, and an average daily phosphorus concentration of not more than 10 milligrams per liter.

- 121. "NPDES Permit" - the National Pollutant Discharge Elimination System Permit issued by the Indiana Stream Pollution Control Board for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.
- 122. "Operation and Maintenance Costs" - all costs direct and indirect, other than debt services including replacement costs as defined in paragraph 128, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements, and to insure long-term facilities management.
- 123. "Outlet" - any outlet, natural or constructed, which is the point of final discharge of sewage or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.
- 124. "Person" - any individual, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.
- 125. "pH" - the logarithm (to the base 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram-atoms per liter of solution.
- 126. "Pollutants" -
  - 126.1 "Compatible Pollutants" - waste containing biochemical oxygen demand, chemical oxygen demand, suspended solids, phosphorus, pH, and fecal coliform bacteria.
  - 126.2 "Incompatible Pollutants" - wastes with any pollutant that is not a compatible pollutant such as "slug load" that would cause damage to the sewage system and/or treatment plant.
- 127. "Receiving Stream" - the watercourse, stream or body of water receiving the waters finally discharged from the sewage treatment plant.
- 128. "Replacement Cost" - that cost, stated in current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.
- 129. "Sanitary Sewage" - sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office



buildings, factories or institutions and free from storm waters, surface water and industrial wastes.

- 130. "Service Charge" - the basic assessment levied on all users of the public sewerage system for wastes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.
- 131. "Sewage" - the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.
- 132. "Sewage Treatment Plant" or "Water Pollution Control Plant" - the arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.
- 133. "Sewage Utility" or "Water Pollution Control Works" - all facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewage treatment plant, whether or not in active use.
- 134. "Sewer" - a pipe or conduit for carrying sewage and other waste liquids as differentiated below:
  - 134.1 "Combined or Combination Sewer" - a sewer which carries storm, surface, and groundwater runoff as well as sewage.
  - 134.2 "Public Sewer" - a sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the City or other public authority.
  - 134.3 "Sanitary Sewer" - a sewer which carries sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.
  - 134.4 "Storm Sewer" - a sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.
- 135. "Sewer Engineer" - the Chief Sewer Engineer of the City or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."
- 136. "Sewerage System" - the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.



- 137. "Shall" means mandatory; "may" means permissible.
- 138. "Standard Methods" - the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water Pollution Control Federation, a copy of which is on file in the Office of the Superintendent of the Waste Water Pollution Control Plant.
- 139. "Strength-of-Waste Surcharge" - the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.
- 140. "Superintendent" - the Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.
- 141. "Suspended Solids" - solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."
- 142. "Waste Surveillance Charge" - a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis, and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-39.
- 143. "Watercourse" - a channel in which a flow of water occurs either continuously or intermittently.

Sec. 24-2. Rules and Regulations-Board of Works Authority.

The Board of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions and requirements of this Chapter, make and enforce appropriate rules and regulations for the safe, economical and efficient management and operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chapter.



Sec. 24-3. Requirements for Connection to Public Sewers.

- 1 No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor estop the City from charging and collecting such costs at any subsequent time.
- 2 Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other evidence of obligation acceptable to the Utility.
- 3 All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.
- 4 Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.
- 5 Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.



- 6 No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.
- 7 The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains, or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.
- 8 A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the sewage works have adequate capacity to transmit and treat the new waste loadings.
- 9 No person shall make use of a sewer tap or back-fill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection, and may require the owner or occupant to pay or reimburse the Utility for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.

Sec. 24-4. Extensions of Sewers Outside Corporate Limits.

The installation, construction, or extension of sanitary sewers by private developers or by the City outside the corporate limits of the City and the connection of said sanitary sewers into the City's sewage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution ratifying an agreement and/or contract for such construction and connection, shall be deemed to constitute such approval.

Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sanitary sewer which is part



of the City's sewerage system, when the property abuts, adjoins, or is immediately contiguous to the street, alley, or easement in which such sewer is located and provided the property owner or occupant has complied with the requirements prescribed by Sec. 24-3 of this Chapter.

Sec. 24-6. Enforcement

The provisions of this Chapter shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge a landowner with a violation(s) of this Chapter, he shall issue to such landowner a Notice of Violation, and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1).

Sec. 24-7. Penalty for Violations

Any landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

Sec. 24-8. Damage to City Property Prohibited.

It shall be unlawful for any unauthorized person, firm, or corporation to maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of the City sewage system or belongs to the Water Pollution Control Plant of the City.

Sec. 24-9 Dilution

It shall be unlawful for any person, firm, or corporation to increase the use of potable water or process water in any way, or mix separate waste-streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable standards.

Sec. 24-10 Accidental Discharges

- 1 Each discharger must provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of the City of Fort Wayne. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials must be provided and maintained at the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and be approved by the City before construction of the facility. Review and approval of plans and operating procedures by the City shall not relieve the discharger from the responsibility to



modify its facility as necessary to meet applicable federal, state and local requirements.

- 2 Dischargers shall notify the Superintendent of the Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law.
- 3 Signs must be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge as to the emergency notification procedures.

## Article II - Permitted Commercial and Industrial Wastes

### Sec. 24-11. Prior Approval for Certain Wastes.

Review and acceptance by the Superintendent shall be obtained prior to the discharge into the public sewers by any commercial or industrial class customer of sewage whose wastes have:

- 101 Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.
- 102 A suspended solids content greater than 300 milligrams per liter.
- 103 A phosphorus content greater than 10 milligrams per liter.
- 104 Other contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation and/or recycling of municipal or industrial wastewaters and sludges.

### Sec. 24-12. Pretreatment Facilities - General

When, after making such a review, the Superintendent concludes that, before the owner discharges waste into the public sewers, the owner must modify or



eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the Sewage Utility or injurious to health, then that owner shall either modify the wastes at the point of origin or shall provide and operate, at owner's expense, such preliminary treatment and processing facilities as may be deemed necessary to render owner's waste acceptable for admission into the public sewers.

Sec. 24-13. Pretreatment Facilities - Prior Approval

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted to the City for examination and approval. No construction of such facilities shall begin until the Superintendent has given written approval. Such approval shall not exempt the person from the obligation to make further reasonable adaptations of such facilities when such adaptations prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarantee that these facilities and/or equipment will function in the manner described by their constructor or manufacturer, nor shall it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

Sec. 24-14 Pretreatment Facilities - Operation

Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in satisfactory and effective operating condition at the owner's expense and shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shall be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry affected by a federal categorical standard shall comply with the reporting requirements of 40 CFR 403.12.

Sec. 24-15 Reserved

Article III - Prohibited Industrial and Commercial Discharges

Sec. 24-16. Prohibitions and Limitations

Except as hereinafter provided, no owner shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes, or waters:

- 101 Any liquid or vapor having a temperature greater than 140° Fahrenheit.
- 102 Any waters or wastes containing more than 100 milligrams per liter of grease, oils, fats, or waxes.



- 103 Any gasoline, benzene, naptha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.
- 104 Any noxious or malodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance or repair.
- 105 Any garbage that has not been properly pretreated and reduced per Sec. 24-1-116.
- 106 Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, paunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.
- 107 Any waters or wastes having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.
- 108 Any waters or wastes containing toxic substances, as defined under Section 307(b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pass through the Plant into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent authority having jurisdiction, or will prevent the disposal of the sludges by the Plant in accordance with Section 405 of said Act.
- 109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.
- 110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.
- 111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to



handle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.

- 112 Any waters or wastes containing incompatible pollutants as herein described.
- 113 Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate, or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.
- 114 Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.
- 115 The City reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

Sec. 24-17 Responsibility for Obstructing or Damaging Sewers

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

Article IV - Control of Admissible Industrial and Commercial Wastes

Sec. 24-18. Submission of Data on Industrial Waste.

- 1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Questionnaire, the form for



which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with utility for the purpose of discharging industrial or commercial waste shall first fill out and file with the Superintendent such a questionnaire which shall set out the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged.

- 2 Any person who knowingly makes any false statement, representation, or certification in any application, report, or other document required by the municipal ordinance or other applicable regulations shall, upon conviction be punished by the imposition of a civil penalty as required by local and/or state statutes.
- 3 When special circumstances render it an unreasonable burden to comply with the time schedule determined by the Utility for the correction of any industrial waste discharge problem, an extension of time, not to exceed 90 days, may be granted by the Superintendent upon presentation in writing of an application for such relief.

#### Sec. 24-19. Confidential Information.

Information and data furnished to the City by a discharger shall be made available to the public or other governmental agency without restriction unless the discharger specifically requests and is able to demonstrate as per 40 CFR 2.203 and 330 IAC 5-1.5-8 that the release of such information would divulge information, methods of production entitled to protection as trade secrets, or proprietary information of the discharger. All requests, by the discharger, for confidentiality of information shall be made in accordance to and governed by the provisions of 330 IAC 5 and 40 CFR 2.

#### Sec. 24-20. Control Manholes.

Any owner who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

#### Sec. 24-21 Grease and Sand Traps

Whenever the Superintendent determines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment



Plant from grease, oil, sand, or similar substances occurring in the user's sewage and so notifies the user, then such traps shall be promptly installed by the user, on owner's lines, at owner's expense and shall be so maintained by owner that none of such substances can be carried over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

Sec. 24-22 Waste Sampling.

- 1 Any industrial waste discharged into the public sewers shall be subject to periodic inspections and the determination of quality, quantity and character. The examination shall be made as often as the Superintendent deems it appropriate and may include the use of suitable continuously monitoring instruments, in appropriate cases. Samples shall be collected either manually or by approved mechanical devices and in such a manner as to be representative of the overall composition of the wastes.
- 2 The installation, operation, and maintenance of the sampling facilities shall be the responsibility of the owner discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.
- 3 Where an owner's operations have security measures in force which require proper identification and clearance before entry onto said owner's property is granted, such owner or owners shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that owner or owners shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to City personnel.

Sec. 24-23. Waste Analysis Procedures and Charges.

Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods" or "Guidelines Establishing Test Procedures for Analysis of Pollutants," as set forth in the Code of Federal Regulations 40 CFR 136.

- 1 Charges to Users  
Alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintendent and the User as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, either party may request that the sample in



dispute be analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the analysis. Analyses made by the City at the request of the User, shall be charged to the User according to the Utility's standard work order billing procedure. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes.

-2     Charges to Governmental Agencies  
Analyses run by the Water Pollution Control Plant Laboratory for any governmental agency, or political sub-division of a City, County or State shall be billed to such agency or subdivision for direct labor and expenses according to the Utilities standard work order billing procedure. Analyses run for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analysis should have such priority.

-3     Charges Collected  
All waste analysis charges collected under Section 24-23-1 and -2 above shall be recorded as credits to the operating costs of the Water Pollution Control Plant and a quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.

Sec. 24-24.   Use of Representative Analysis.

Until an adequate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the City, shall continue at the City's pleasure or until an adequate analysis has been made.

Article V.   Service Charges Based on Water Usage

Sec. 24-25.   Water Obtained from the City's Water Utility.

The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the City's Water Utility, except as herein otherwise provided.



Sec. 24-26. Water Obtained from Other Sources.

Where the property obtains any part or all of the water used from sources other than the City's Water Utility, the owner or the tenant may be required by the City to install and maintain at his own expense a meter or meters acceptable to the City for the quantity of water obtained from these other sources, or the City may determine the quantity of such water by whatever means and methods it may find relevant and practicable.

Sec. 24-27. Exempt Water - General.

Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the City to install at his own expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system; when appropriate, the City reserves the right to determine by whatever other means and methods it may find practicable the percentage of the property's metered water that enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served.

Sec. 24-28. Metering of Sewage.

The City may require a person to install and maintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if these volumes cannot otherwise be determined from the metered-water consumption records. The City shall inspect and approve such installation and no such service, once installed, shall be removed without the City's approval.

Sec. 24-29. Reserved

Article VI. User Charges

Sec. 24-30. User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:



Service Charge (cents per 100 cu. ft.)

	<u>Class of User</u>	
	<u>Domestic</u>	<u>Manufacturing</u>
Treatment	20.52	20.52
Conveyance, Collection, Billing	19.96	13.01
Capital	12.84	10.33
Pretreatment Administration	<u>-0-</u>	<u>2.50</u>
Total User Charge	53.32	46.36

Sec. 24-31. User Minimum Charges.

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 2.66
1 - 1½"	9.40
2"	19.17
3"	38.52
4"	64.04
6" or larger	177.87

Sec. 24-32. User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	
	<u>In-City</u>	<u>Out-City</u>
Domestic User - Single Family Dwelling	\$5.33	\$6.39
Domestic User - Multi Family Dwelling	To be estimated by City	
Commercial and Industrial User	To be estimated by City	

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

- 1 Volume Charge (cents per 100 cu. ft.)

Treatment	20.52
Capital Charge	12.88
	<u>33.40</u>
- 2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.
- 3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.
- 4 Excess Strength of Wastes Surcharge

In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	<u>Cents Per Pound</u>
Suspended Solids - (SS)	4.304
Biochemical Oxygen Demand - (BOD)	4.300
Phosphorus - (P)	41.193
- 5 Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.
- 6 Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds



any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

- Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.
- Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-35. Annual Review of Service Charges.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

- 1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.
- 2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost

of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

#### Article VII. Strength-of-Wastes Surcharge

##### Sec. 24-36. Liability for Surcharge.

Each user discharging wastes into the sewerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

- 1 Biochemical oxygen demand of 300 milligrams per liter.
- 2 Chemical oxygen demand of 600 milligrams per liter.
- 3 Suspended solids content of 300 milligrams per liter.
- 4 Phosphorus content of 10 milligrams per liter.

##### Sec. 24-37. Computation of Surcharge.

The surcharge shall be determined as follows:

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in Section 24-36. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

##### Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.



Sec. 24-39. Revision of Rates of Surcharge.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

Article VIII. Billing of Service Charges

Sec. 24-40. Billing Period.

- 1 Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.
- 2 Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.

Sec. 24-41. Liability for Payment.

- 1 Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.
- 2 The owner of the real estate shall have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.
- 3 Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances, or social security number of the person being billed.

Sec. 24-42. First Billings.

The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Water Utility.

Sec. 24-43. City Subject to Charges.

For sewerage service rendered to the City, or any department, structure or property, thereof, the City shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

Sec. 24-44. Consolidation of Accounts.

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

Sec. 24-45. Notice of Capital Surcharge.

The City Clerk shall certify a copy of Special Ordinance No. S-233-81, enacted October 28, 1981, and all amendments thereto, heretofore or hereafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the City Utility Sewerage System, in those areas of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.

Article IX. Delinquent Accounts

Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Water Service.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after



reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24.49 List of Delinquent Fees and Penalties - Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Sec. 24-51. Reserved.

Article X. Accounting for Sewerage Service Charges

Sec. 24-52. The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewage Works Improvement Fund as required by prior ordinances relating to the issuance of sewage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds.

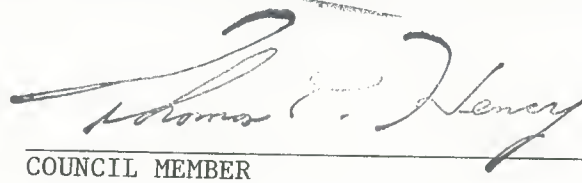
Sec. 24-53. Severability.

-1 The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.


-2 All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne of 1974 in conflict herewith are hereby repealed.

-3

That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor and due legal publication thereof.

  
COUNCIL MEMBER

APPROVED AS TO FORM  
AND LEGALITY

  
BRUCE O. BOXBERGER, CITY ATTORNEY

WR3  
JOB H



BILL NO. G-84-06-22

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS REFERRED AN  
ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE MUNICIPAL CODE  
AND SUBSTITUTING AND ENACTING THEREFOR A NEW CHAPTER 24 ENTITLED  
"SEWERS AND SEWERAGE SYSTEM" FOR THE PURPOSE OF ADJUSTING RATES AND OTHER  
PROVISIONS SET FORTH THEREIN

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

THOMAS C. HENRY, CHAIRMAN

MARK E. GIAQUINTA, VICE CHAIRMAN

CHARLES B. REDD

JAMES S. STIER

DONALD J. SCHMIDT

CONCURRED IN

7-24-84  
SANDRA E. KENNEDY, CITY CLERK

Amendment by Don Schmidt:

Passed at Council Committee Session - July 10, 1984

Put back Sec. 24-26 Exempt water, sprinkling -- and the following changes

Change date from July 1 to June 1

Change the word twice to 150% (or one-half times)

Change the date from March 15 to February 15

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Sec. 24-26. Exempt Water Sprinkling.

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February 15. A new account without a bi-monthly meter reading period prior to the exempt water sprinkling period shall be billed the lesser of a charge based on the actual (or estimated water consumption) or a charge based on twice the minimum sewage rate during the sprinkling period. A water consumer without an actual read at the end of the exempt water sprinkling period shall be allowed a sewer credit based on an average monthly usage as computed from the date of the Utilities' last actual read to the date of the Utilities' actual read made after the end of the exempt water sprinkling period. In no case, shall the sewage charge be less than the minimum for the water meter size installed. The provisions of this section shall not apply to any residential water consumers who use any part of their water for any commercial or industrial purpose.

\*(or one half-times)



## REVISIONS TO CHAPTER 24 MUNICIPAL ORDINANCES

The format of these revisions is as follows:

Where major deletions are made, the deleted text is set out in full and is struck through, ie ~~struck-through~~. Minor changes in wording, and corrections of typographic errors, generally are not so noted, since they do not affect the sense of the ordinance. Any change in rates or requirements is however specifically noted.

All new material is set out in full. Material not new is typed without emphasis, while new material is underlined, ie., underlined.

Several of the Sections were renumbered. In some cases, sections were reworded for clarity or conciseness. Generally these changes are noted. Explanatory notes generally appear in the left margin.

The index is set out in full as a guide to determining the genesis of this revision. In the index, deleted portions are ~~struck-through~~ and new portions are double-struck.

Thus, in the Index the notation:

"ARTICLE II. Permitted Commercial and Industrial Wastes

Sec. 24-11 ~~-Sec.-24-12~~ Prior Approval for Certain Wastes"

means that the Article Heading is new, and that new Section 24-11 is derived from former Section 24-12, which bore the same title. The content of new Section 24-11 is not new.

In the Index the notation:

"Sec. 24-19      Confidential Information"

indicates that the Section is new and has no derivation in previous text.

Also, in the text, a notation is made that the proposed section was formerly numbered, viz:

"Sec. 24-44. Consolidation of Accounts

~~\*Sec.-24-42"~~

DXC/c

6/28/84

REV:P:pg 1

## CHAPTER 24

### SEWERS AND SEWERAGE SYSTEM

#### ARTICLE I. In General

Sec. 24-1	Definitions.
Sec. 24-2	Rules and Regulations- Board of Works Authority
Sec. 24-3	Requirements for Connection to Public Sewers
Sec. 24-4	Extensions of Sewers Outside Corporate Limits
Sec. 24-5	Connections to Sewerage System by Certain Out-of-City Properties
Sec. 24-6	Penalty-for-Violations Enforcement
Sec. 24-7	Enforcement Penalty for Violations
Sec. 24-8	Prohibited Damage to City Property Prohibited
Sec. 24-9	Dilution
Sec. 24-10	Accidental Discharge

#### ARTICLE II. Permitted Commercial and Industrial Wastes

Sec. 24-11	<del>Sec. 24-12</del>	Prior Approval for Certain Wastes
Sec. 24-12	<del>Sec. 24-13</del>	Pretreatment Facilities-In General
Sec. 24-13	<del>Sec. 24-14</del>	Pretreatment Facilities-Prior Approval
Sec. 24-14	<del>Sec. 24-15</del>	Pretreatment Facilities-Operation
Sec. 24-15		Reserved.

#### ARTICLE III. Prohibited Industrial and Commercial Discharges

##### ~~ARTICLE III. Prohibited Industrial Discharges~~

Sec. 24-16	<del>Sec. 24-9</del>	Prohibitions and Limitations
Sec. 24-17	<del>Sec. 24-10</del>	Responsibility for Obstructing or Damaging Sewers
	<del>Sec. 24-11-----</del>	<del>Special Agreements</del>

#### ARTICLE IV. Control of Admissible Industrial and Commercial Wastes

Sec. 24-18	<del>Sec. 24-17</del>	Submission of Data on Industrial Waste
Sec. 24-19		Confidential Information
Sec. 24-20	<del>Sec. 24-18</del>	Control Manholes
Sec. 24-21	<del>Sec. 24-16</del>	Grease and Sand Traps
Sec. 24-22	<del>Sec. 24-19</del>	Waste Sampling
Sec. 24-23	<del>Sec. 24-20</del>	Waste Analysis Procedures and Charges
Sec. 24-24	<del>Sec. 24-21</del>	Use of Representative Analysis



#### ARTICLE V. Service Charges Based on Water Usage

Sec. 24-25	<del>Sec.-24-22</del>	Water Obtained from the City's Water Utility
Sec. 24-26	<del>Sec.-24-23</del>	Water Obtained from Other Sources
Sec. 24-27	<del>Sec.-24-24</del>	Exempt Water-Generally
Sec. 24-28	<del>Sec.-24-25</del>	Metering of Sewage
Sec. 24-29		Reserved
	<del>Sec.-24-26-----</del>	<del>Exempt Water, Sprinkling</del>

#### ARTICLE VI. User Charges

Sec. 24-30	<del>Sec.-24-27</del>	User Volume Charges
Sec. 24-31	<del>Sec.-24-28</del>	User Minimum Charges
Sec. 24-32	<del>Sec.-24-29</del>	User Flat Charges
	<del>Sec.-24-29.1-----</del>	<del>Reserved</del>
Sec. 24-33	<del>Sec.-24-30</del>	Contract Customers-Unit and Other Charges
Sec. 24-34	<del>Sec.-24-31</del>	Bulk Waste Charges
Sec. 24-35	<del>Sec.-24-32</del>	Annual Review of Service Charges

#### ARTICLE VII. Strength-of-Wastes Surcharge

Sec. 24-36	<del>Sec.-24-33</del>	Liability for Surcharge
Sec. 24-37	<del>Sec.-24-34</del>	Computation of Surcharge
	<del>Sec.-24-35-----</del>	<del>Rates of Surcharge</del>
Sec. 24-38	<del>Sec.-24-36</del>	Waste Evaluation Charges
Sec. 24-39	<del>Sec.-24-37</del>	Revision of Rates of Surcharge

#### ARTICLE VIII. Billing of Service Charges

Sec. 24-40	<del>Sec.-24-38</del>	Billing Period
Sec. 24-41	<del>Sec.-24-39</del>	Liability for Payment
Sec. 24-42	<del>Sec.-24-40</del>	First Billings
Sec. 24-43	<del>Sec.-24-41</del>	City Subject to Charges
Sec. 24-44	<del>Sec.-24-42</del>	Consolidation of Accounts
Sec. 24-45		Notice of Capital Surcharge

#### ARTICLE IX. Delinquent Accounts

Sec. 24-46	<del>Sec.-24-43</del>	How Delinquencies Arise
Sec. 24-47	<del>Sec.-24-44</del>	Collection Through <del>Gutting</del> Shutting Off Water Service
Sec. 24-48		Collection Through Terminating Sewer Service
Sec. 24-49	<del>Sec.-24-45</del>	<del>Collection-Through-the-Tax-Duplicate</del> List of Delinquent Fees and Penalties - Tax Duplicates - Collection
Sec. 24-50	<del>Sec.-24-46</del>	Collection through Court Actions
Sec. 24-51		Reserved.

#### ARTICLE X. Accounting For Sewerage Service Charges

Sec. 24-52	<del>Sec.-24-47</del>	Controller to Establish and Maintain
Sec. 24-53		Severability

## CHAPTER 24

### SEWERS AND SEWERAGE SYSTEM

#### Article I. General

##### Sec. 24-1. Definitions.

Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the rules and regulations adopted by the Board of Public Works implementing the provisions of this Chapter are as set out below respectively:

- 101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to at I.C. 13-1-4-1.
- 102. "Applicable Pretreatment Standards" - Any pretreatment limit or prohibitive standard (Federal, State, and/or Local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.
- 103. "Biochemical Oxygen Demand (BOD)" - the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters, or industrial wastes under standard laboratory procedures for five days at 20° centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 138 below).
- 104. "Building (or House) Drain": that part of the lowest horizontal piping of a building drainage system that receives the discharge from soil, waste, or other drainage pipes inside the walls of the building and conveys it to a point outside the foundation wall of the building.
- 105. "Building (or House) Drain Connection": the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.
- 106. "Building (or House) Sewer" - the pipe which is connected to the Building (or House) drain at a point 3± feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.
- 107. "Building (or House) Sewer Connection" - the point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:



\* Deleted  
"joint thereto"

107.1 Where a ~~break-in~~ tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage system and the tapping "saddle and/or joint" shall be considered part of the building sewer.

107.2 Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe meets the end of the fitting and the ~~the~~ said T or Y fitting shall be considered a part of the building sewer.

-108. "Bulk Waste" - any containerized solid, liquid or gaseous substance discarded or to be discarded as worthless, defective, or of no use to the person discarding said substance. ~~waste which may be transported.~~

-109. "Chemical Oxygen Demand (COD)" - a measure of the oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."

-110. "City" - the City of Fort Wayne, Indiana.

-111. "Classification of Users"

111.1 "Domestic Class User" - a user discharging only normal domestic sewage, as herein defined, into the system.

111.2 "Commercial Class User" - a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control.

\*Deleted  
"Sewer Engineer"

111.3 "Industrial Class User" - a user falling within Divisions A, B, D, E, or I of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget, as currently amended and supplemented. A copy is on file in the Office of the ~~the~~ Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce primarily segregated domestic waste or waste from sanitary conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of waste or toxics in excess of limits described hereinafter.

- 112. "Dwelling": a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.
- 113. "Effluent" - the water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.  
  
~~"Emergency": An unforeseen combination of circumstances or a combination of unforeseen circumstances which requires an immediate remedy. Said emergency shall be declared by the common council and shall be limited to a specific time period.~~
- 114. "Emergency" - an unforeseen circumstance or combination of circumstances that may cause an imminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.
- 115. "Garbage" - any solid wastes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.
- 116. "Ground Garbage" - garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half ( $\frac{1}{2}$ ) inch in any dimension.
- 117. "Industrial Wastes" - any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation or process\*from the development, recovery or processing of any natural resource carried on by any person.
- \* Deleted "or"
- 118. "Influent" - the water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.
- 119. "Major Industrial User" - a user of the City-owned treatment works that: (a) has a flow of 50,000 gallons of water or more per average work day; (b) has a flow of waste greater than 5% of the flow carried by any part of the City system receiving the waste; (c) has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (a) of the Federal Act; or (d) is found by the Indiana Stream Pollution Control Board, in connection with the issuance of the NPDES Permit to the City-owned treatment works receiving the waste, to have significant impact whether singularly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.
- 120. "Normal Domestic Sewage" - sewage having an average daily suspended solids concentration of not more than 300 milligrams per liter, an average daily BOD concentration



of not more than\*300 milligrams per liter, and an average daily phosphorus concentration of not more than 10 milligrams per liter.

- 121. "NPDES Permit" - the National Pollutant Discharge Elimination System Permit issued by the Indiana Stream Pollution Control Board for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.
- 122. "Operation and Maintenance Costs" - all costs direct and indirect, other than debt services including replacement costs as defined in paragraph 123, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements, and to insure long-term\* facilities management.
- 123. "Outlet" - any outlet, natural or constructed, which is the point of final discharge of sewage or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.
- 124. "Person" - any individual, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.
- 125. "pH" - the logarithm (to the base 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram-atoms per liter of solution.
- 126. "Pollutants" -
  - 126.1 "Compatible Pollutants" - waste containing biochemical oxygen demand, chemical oxygen demand, suspended solids, phosphorus, pH, and fecal coliform bacteria.
  - 126.2 "Incompatible Pollutants" - wastes with any pollutant that is not a compatible pollutant such as "slug load" that would cause damage to the sewage system and/or treatment plant.
- 127. "Receiving Stream" - the watercourse, stream or body of water receiving the waters finally discharged from the sewage treatment plant.
- 128. "Replacement Cost" - that cost, stated in current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.
- 129. "Sanitary Sewage" - sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office

\* optimal

buildings, factories or institutions and free from storm waters, surface water and industrial wastes.

- 130. "Service Charge" - the basic assessment levied on all users of the public sewerage system for wastes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.
- 131. "Sewage" - the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.
- 132. "Sewage Treatment Plant" or "Water Pollution Control Plant" - the arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.
- 133. "Sewage Utility" or "Water Pollution Control Works" - all facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewage treatment plant, whether or not in active use.
- 134. "Sewer" - a pipe or conduit for carrying sewage and other waste liquids as differentiated below:
  - 134.1 "Combined or Combination Sewer" - a sewer which carries storm, surface, and groundwater runoff as well as sewage.
  - 134.2 "Public Sewer" - a sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the City or other public authority.
  - 134.3 "Sanitary Sewer" - a sewer which carries sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.
  - 134.4 "Storm Sewer" - a sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.
- 135. "Sewer Engineer" - the Chief Sewer Engineer of the City or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."
- 136. "Sewerage System" - the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.



- 137. "Shall" means mandatory; "may" means permissible.
- 138. "Standard Methods" - the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water Pollution Control Federation, a copy of which is on file in the Office of the Superintendent of the Waste Water Pollution Control Plant.
- 139. "Strength-of-Waste Surcharge" - the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.
- 140. "Superintendent" - the Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.
- 141. "Suspended Solids" - solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."
- 142. "Waste Surveillance Charge" - a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis, and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-39.
- 143. "Watercourse" - a channel in which a flow of water occurs either continuously or intermittently.

Sec. 24-2. Rules and Regulations-Board of Works Authority.

The Board of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions and requirements of this Chapter, make and enforce appropriate rules and regulations for the safe, economical and efficient management and operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chapter.

Sec. 24-3. Requirements for Connection to Public Sewers.

-1 No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor estop the City from charging and collecting such costs at any subsequent time.

-2 Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other evidence of obligation acceptable to the Utility.

-3 All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.

-4 Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.

-5 Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

\*~~thirty-five~~  
\*\$35.00  
\*~~seventy-dollars~~  
\*\$70.00  
\*~~seventy-dollars-~~  
\*\$70.00-

\*~~Sewer-Engineer-~~



- 6 No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.
- 7 The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains, or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.
- 8 A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the sewage works have adequate capacity to transmit and treat the new waste loadings.
- 9 No person shall make use of a sewer tap or back-fill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection, and may require the owner or occupant to pay or reimburse the Utility for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.

Sec. 24-4. Extensions of Sewers Outside Corporate Limits.

The installation, construction, or extension of sanitary sewers by private developers or by the City outside the corporate limits of the City and the connection of said sanitary sewers into the City's sewage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution ratifying an agreement and/or contract for such construction and connection, shall be deemed to constitute such approval.

Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sanitary sewer which is part

of the City's sewerage system, when the property abuts, adjoins, or is immediately contiguous to the street, alley, or easement in which such sewer is located and provided the property owner has complied with the requirements prescribed by Sec. 24-3 of this Chapter.

Sec. 24-6. Enforcement

\* ~~Sec. 24-7~~

The provisions of this Chapter shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge a landowner with a violation(s) of this Chapter, he shall issue to such landowner a Notice of Violation, and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1).

Sec. 24-7. Penalty for Violations

\* ~~Sec. 24-6~~

Any person landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof ~~;-be-fined-not-less-than-one-hundred-dollars-(\$100.00)-nor-more-than-five-hundred-dollars-(\$500.00)-per-offense-~~ be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that the violation (s) or noncompliance continues shall constitute a separate offense.

Sec. 24-8. Prohibited Damage to City Property Prohibited

It shall be unlawful for any unauthorized person, firm, or corporation to maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of the City sewage system or belongs to the Water Pollution Control Plant of the City.

Sec. 24-9 Dilution

It shall be unlawful for any person, firm, or corporation to increase the use of potable water or process water in any way, or mix separate waste-streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable standards.

Sec. 24-10 Accidental Discharges

- 1 Each discharger must provide protection from accidental discharge of prohibited or regulated materials or substances to sewers of the City of Fort Wayne. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials must be provided and maintained at the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and be approved by the City before construction of the facility. Review and approval of plans and operating procedures by the City shall not relieve the discharger from the responsibility to



modify its facility as necessary to meet applicable federal, state and local requirements.

- 2 Dischargers shall notify the Superintendent of the Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law.
- 3 Signs must be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge as to the emergency notification procedures.

#### Article II - Permitted Commercial and Industrial Wastes

##### Sec. 24-11. Prior Approval for Certain Wastes.

~~\*Sec. 24-12~~

Review and acceptance by the Superintendent shall be obtained prior to the discharge into the public sewers by any commercial or industrial class customer of sewage whose wastes have:

- 101 Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.
- 102 A suspended solids content greater than 300 milligrams per liter.
- 103 A phosphorus content greater than 10 milligrams per liter.
- 104 Other contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation and/or recycling of municipal or industrial wastewaters and sludges.

##### Sec. 24-12. Pretreatment Facilities - General

~~\* Sec. 24-13-~~

When, after making such a review, the Superintendent concludes that, before the owner discharges waste into the public sewers, the owner must modify or

eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the Sewage Utility or injurious to health, then that owner shall either modify the wastes at the point of origin or shall provide and operate, at owner's expense, such preliminary treatment and processing facilities as may be deemed necessary to render owner's waste acceptable for admission into the public sewers.

Sec. 24-13. Pretreatment Facilities - Prior Approval \*~~Sec.-24-14~~

\* Deleted  
"with the  
approval of  
the Board  
of Public  
Works

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted to the City for examination and approval. No construction of such facilities shall begin until the Superintendent\* has given written approval. Such approval shall not exempt the person from the obligation to make further reasonable adaptations of such facilities when such adaptations prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarantee that these facilities and/or equipment will function in the manner described by their constructor or manufacturer, nor shall it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

Sec. 24-14 Pretreatment Facilities - Operation \* ~~Sec.-24-15~~

Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in satisfactory and effective operating condition at the owner's expense and shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shall be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry affected by a federal categorical standard shall comply with the reporting requirements of 40 CFR 403.12.

Sec. 24-15 Reserved

Article III - Prohibited Industrial and Commercial Discharges

Sec. 24-16. Prohibitions and Limitations \* ~~Sec.-24-9~~

Except as hereinafter provided, no owner shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes, or waters:

- 101 Any liquid or vapor having a temperature greater than 140° Fahrenheit.
- 102 Any waters or wastes containing more than 100 milligrams per liter of grease, oils, fats, or waxes.



- 103 Any gasoline, benzene, naptha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.
- 104 Any noxious or malodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance or repair.
- 105 Any garbage that has not been properly pretreated and reduced per Sec. 24-1-116.
- 106 Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, paunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.
- 107 Any waters or wastes having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.
- 108 Any waters or wastes containing toxic substances, as defined under Section 307(b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pass through the Plant into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent authority having jurisdiction, or will prevent the disposal of the sludges by the Plant in accordance with Section 405 of said Act.
- 109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.
- 110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.
- 111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to

handle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.

- 112 Any waters or wastes containing incompatible pollutants as herein described.
- 113 Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate, or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.
- 114 Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.
- 115 The City reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

Sec. 24-17 Responsibility for Obstructing or Damaging Sewers \* ~~Sec. 24-10~~

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.



~~Sec. 24-11. Special agreements.~~

~~Notwithstanding any other provisions of this chapter, the city may enter into a special agreement or arrangement between the city and any person whereby an industrial waste of unusual strength or character may be accepted by the city for treatment either with or without pretreatment, provided there is no impairment of the functioning of the sewage utility by reason of the admission of such wastes and no extra costs are incurred by the city without recompense by such person.~~

Article IV - Control of Admissible Industrial and Commercial Wastes \*~~Sec. 24-17~~

Sec. 24-18. Submission of Data on Industrial Waste.

- 1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Questionnaire, the form for

which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with utility for the purpose of discharging industrial or commercial waste shall first fill out and file with the Superintendent such a questionnaire which shall set out the actual or predicted data relating to the quantity and characteristics of the wastes to be discharged.

- 2 Any person who knowingly makes any false statement representation, or certification in any application, report, or other document required by the municipal ordinance or other applicable regulations shall, upon conviction be punished by the imposition of a civil penalty as required by local and/or state statutes.
- 3 When special circumstances render it an unreasonable burden to comply with the time schedule determined by the Utility for the correction of any industrial waste discharge problem, an extension of time, not to exceed 90 days, may be granted by the Superintendent upon presentation in writing of an application for such relief.

Sec. 24-19. Confidential Information.

Information and data furnished to the City by a discharger shall be made available to the public or other governmental agency without restriction unless the discharger specifically requests and is able to demonstrate as per 40 CFR 2.203 and 330 IAC 5-1.5-8 that the release of such information would divulge information, methods of production entitled to protection as trade secrets, or proprietary information of the discharger. All requests, by the discharger, for confidentiality of information shall be made in accordance to and governed by the provisions of 330 IAC 5 and 40 CFR 2.

Sec. 24-20. Control Manholes.

~~\*Sec. 24-18-~~

Any owner who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

Sec. 24-21 Grease and Sand Traps

~~\* Sec. 24-16-~~

Whenever the Superintendent determines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment



Plant from grease, oil, sand, or similar substances occurring in the user's sewage and so notifies the user, then such traps shall be promptly installed by the user, on owner's lines, at owner's expense and shall be so maintained by owner that none of such substances can be carried over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

Sec. 24-22 Waste Sampling.

\* ~~Sec. 24-19-~~

- 1 Any industrial waste discharged into the public sewers shall be subject to periodic inspections and the determination of quality, quantity and character. The examination shall be made as often as the Superintendent deems it appropriate and may include the use of suitable continuously monitoring instruments, in appropriate cases. Samples shall be collected either manually or by approved mechanical devices and in such a manner as to be representative of the overall composition of the wastes.
- 2 The installation, operation, and maintenance of the sampling facilities shall be the responsibility of the owner discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.
- 3 Where an owner's operations have security measures in force which require proper identification and clearance before entry onto said owner's property is granted, such owner or owners shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that owner or owners shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to City personnel.

Sec. 24-23. Waste Analysis Procedures and Charges.

\* ~~Sec. 24-20~~

Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods" or "Guidelines Establishing Test Procedures for Analysis of Pollutants," as set forth in the Code of Federal Regulations 40 CFR 136.

-1 Charges to Users

Alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintendent and the User as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, either party may request that the sample in

dispute be analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the analysis. Analyses made by the City at the request of the User, shall be charged to the User according to the Utility's standard work order billing procedure. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependent upon the character and concentration of wastes.

-2 Charges to Governmental Agencies

Analyses run by the Water Pollution Control Plant Laboratory for any governmental agency, or political sub-division of a City, County or State shall be billed to such agency or subdivision for direct labor and expenses according to the Utilities standard work order billing procedure. Analyses run for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analysis should have such priority.

-3 Charges Collected

All waste analysis charges collected under Section 24-23-1 and -2 above shall be recorded as credits to the operating costs of the Water Pollution Control Plant and a quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.

Sec. 24-24. Use of Representative Analysis.

\* ~~Sec. 24-21~~

Until an adequate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the City, shall continue at the City's pleasure or until an adequate analysis has been made.

Article V. Service Charges Based on Water Usage

Sec. 24-25. Water Obtained from the City's Water Utility.

\* ~~Sec. 24-22~~

The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the City's Water Utility, except as herein otherwise provided.

Sec. 24-26. Water Obtained from Other Sources.

\* ~~Sec. 24-23~~

Where the property obtains any part or all of the water used from sources other than the City's Water Utility, the owner or the tenant may be required by the City to install and maintain at his own expense a meter or meters acceptable to the City for the quantity of water obtained from these other sources, or the City may determine the quantity of such water by whatever means and methods it may find relevant and practicable.

Sec. 24-27. Exempt Water - General.

\* ~~Sec. 24-24-~~

Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the City to install at his own expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system; when appropriate, the City reserves the right to determine by whatever other means and methods it may find practicable the percentage of the property's metered water that enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served.

Sec. 24-28. Metering of Sewage.

\* ~~Sec. 24-25-~~

The City may require a person to install and maintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if these volumes cannot otherwise be determined from the metered-water consumption records. The City shall inspect and approve such installation and no such service, once installed, shall be removed without the City's approval.

Sec. 24-29. Reserved



~~Sec. 24-26. Exempt water, sprinkling.~~

~~A residential water consumer shall be billed for sewage service beginning with the billing of District 19 on or about July 1 and ending with the billing of District 17 on or about October 1, as follows: The monthly sewage charge shall be the lesser of a charge based on the actual or estimated water consumption or a charge based on twice the consumer's average monthly consumption during the prior bi-monthly meter reading period. This bi-monthly period begins with the reading or estimating of District 19 on or about March 15. A new account without a bi-monthly meter reading period prior to the exempt water sprinkling period shall be billed the lesser of a charge based on the actual (or estimated) water consumption or a charge based on twice the minimum sewage rate during the sprinkling period. A water consumer without an actual reading at the end of the exempt water sprinkling period shall be allowed a sewer credit based on an average monthly usage as computed from the date of the utilities' last actual reading to the date of the utilities' actual reading made after the end of the exempt water sprinkling period. In no case shall the sewage charge be less than the minimum for the water meter size installed. The provisions of this section shall not apply to any residential water consumers who use any part of their water for any commercial or industrial purpose. (Ord. No. G-14-80, § 1, 7-22-80, Ord. No. G-22-82, § 1, 8-24-82)~~

Article VI. User Charges

Sec. 24-30. User Volume Charges.

\* ~~Sec. 24-27~~

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

	<u>Class of User</u>			
	<u>Domestic</u>		<u>Manufacturing</u>	
	New	Old	New	Old
Treatment	20.52	18.74	20.52	18.74
Conveyance, Collection, Billing	19.96	18.23	13.01	11.88
Capital	12.84	11.73	10.33	8.88
Pretreatment Administration	-0-	-0-	2.50	-0-
Total User Charge	53.32	48.70	46.36	39.50

Sec. 24-31. User Minimum Charges. \* ~~Sec. 24-28~~

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>	
	New	Old
5/8 - 3/4"	\$ 2.66	2.43
1 - 1 1/2"	9.40	8.58
2"	19.17	17.51
3"	38.52	35.18
4"	64.04	58.48
6" or larger	177.87	162.44

Sec. 24-32. User Flat Charges. \* ~~Sec. 24-29~~

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	
	<u>In-City</u>	<u>Out-City</u>
Domestic User - Single Family Dwelling	\$5.33	4.87
Domestic User - Multi Family Dwelling	\$6.39	
Commercial and Industrial User	To be estimated by City	To be estimated by City

5.84

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

- |    |  |       |
|----|--|-------|
| -1 | <u>Volume Charge (cents per 100 cu. ft.)</u> | Old   |
|    | Treatment 20.52                              | 18.74 |
|    | Capital Charge 12.88                         | 11.76 |
|    | 33.40  | 30.50 |
- 2 Variable Charge (cents per 100 cu. ft.)  
A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.
- 3 Flat Charge  
In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.  
Old: \$.55  
Old \$ 82.20
- 4 Excess Strength of Wastes Surcharge  
In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:
- |                                   |                        |        |
|-----------------------------------|------------------------|--------|
|                                   | <u>Cents Per Pound</u> | Old    |
| Suspended Solids - (SS)           | 4.304                  | 3.931  |
| Biochemical Oxygen Demand - (BOD) | 4.300                  | 3.926  |
| Phosphorus - (P)                  | 41.193                 | 37.619 |
- 5 Capital Surcharge  
In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.
- 6 Other Provisions  
In the event sewage received pursuant to any contract entered into under this section exceeds



any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

\* ~~Sec. 24-31~~

- |  |  |
|--|--|
| <p>Industrial -</p> <p>Note: Charge was \$163.00 per load on City vehicles</p> | <p>For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load.* For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.</p> |
| <p>Domestic -</p> <p>Note: was \$ 23.85</p>                                    | <p>For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load.* For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.</p>  |

Sec. 24-35. Annual Review of Service Charges.

\* ~~Sec. 24-32~~

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

- 1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.
- 2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost

of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

#### Article VII. Strength-of-Wastes Surcharge

##### Sec. 24-36. Liability for Surcharge.

\* ~~Sec. 24-33-~~

Each user discharging wastes into the sewerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

- 1 Biochemical oxygen demand of 300 milligrams per liter.
- 2 Chemical oxygen demand of 600 milligrams per liter.
- 3 Suspended solids content of 300 milligrams per liter.
- 4 Phosphorus content of 10 milligrams per liter.

##### Sec. 24-37. Computation of Surcharge.

\* ~~Sec. 24-34~~

The surcharge shall be determined as follows:

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in Section 24-36. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

##### Sec. 24-38. Waste Evaluation Charges

\* ~~Sec. 24-36~~

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 ~~\*per~~ discharge point. \*\$82.20-

This section was deleted. Its contents are included in new Sec. 24-33-4

~~Sec. 24-35: Rates of surcharge.-----~~

~~The rate of surcharge for each of the aforementioned constituents shall be as follows:-----~~

	<i>Cents per pound</i>
<del>(a) For biochemical oxygen demand (BOD)-----</del>	<del>3.931-----</del>
<del>(b) For suspended solids (SS)-----</del>	<del>3.926-----</del>
<del>(c) For phosphorus (P)-----</del>	<del>37.619-----</del>

(Ord. No. G-14-80, § 1, 7-22-80; Ord. No. S-92-82, § 1, 5-25-82;  
Ord. No. G-22-82, § 1, 8-24-82)



Sec. 24-39. Revision of Rates of Surcharge.

\* ~~Sec. 24-37~~

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

Article VIII. Billing of Service Charges

Sec. 24-40. Billing Period.

\* ~~Sec. 24-38~~

Note: This Section was reworded for clarity. The meaning is essentially the same.

- 1 Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.
- 2 Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.

Sec. 24-41. Liability for Payment.

\* ~~Sec. 24-39~~

Note: This Section was reworded for clarity. The meaning is essentially the same.

- 1 Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.
- 2 The owner of the real estate shall have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.
- 3 Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances, or social security number of the person being billed.

Note: This is a new paragraph designed to protect the confidentiality of financial data the Utility obtains. While other state or federal statutes may require or permit it, the Utility does not want this Section to appear to grant access.

Sec. 24-42. First Billings.

\* ~~Sec. 24-40~~

Note: A  
portion of  
Sec 24-40  
was incor-  
porated in  
Sec.24-40

The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Water Utility.

Sec. 24-43. City Subject to Charges.

\* ~~Sec. 24-41~~

For sewerage service rendered to the City, or any department, structure or property, thereof, the City shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

Sec. 24-44. Consolidation of Accounts.

\* ~~Sec. 24-42~~

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

Sec. 24-45. Notice of Capital Surcharge.

\*NEW\*

The City Clerk shall certify a copy of Special Ordinance No. S-232-31, enacted October 28, 1981, and all amendments thereto, heretofore or hereafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the City Utility Sewerage System, in those areas of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.

Article IX. Delinquent Accounts

Sec. 24-46. How Delinquencies Arise.

\* ~~Sec. 24-43-~~

Note:  
Reworded  
to refer  
to Indi-  
ana Code

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Water Service.

\* ~~Sec. 24-44-~~

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after

\* Deleted: mailing a written

notice at least 10 days in advance and to the property owner if identifiable"

reasonable notice to the person being billed,\* as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service. \* NEW\*

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24-49 List of Delinquent Fees and Penalties - Tax Duplicates - Collection. \* ~~Sec. 24-45~~

Note: Reworded to Simplify Indiana Code sets out the procedure.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions. \* ~~Sec. 24-46~~

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Sec. 24-51. Reserved.

Article X. Accounting for Sewerage Service Charges

Sec. 24-52. The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewage Works Improvement Fund as required by prior ordinances relating to the issuance of sewage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds. \* ~~Sec. 24-47~~

Sec. 24-53. Severability. \*NEW\*

-1 The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.

-2 All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne of 1974 in conflict herewith are hereby repealed.



-3      That this Ordinance shall be in full force and effect  
from and after its passage, any and all necessary  
approval by the Mayor and due legal publication  
thereof.

\_\_\_\_\_  
COUNCIL MEMBER

APPROVED AS TO FORM  
AND LEGALITY

\_\_\_\_\_  
BRUCE O. BOXBERGER, CITY ATTORNEY

WR3  
JOB H

**Municipal**  
**Consultants, Inc.**

FORT WAYNE WATER POLLUTION CONTROL UTILITY

Report on Revisions to Chapter 24  
Fort Wayne Municipal Code

Public Hearing  
July 10, 1984





FORT WAYNE WATER POLLUTION CONTROL UTILITY

T A B L E   O F   C O N T E N T S

LETTER OF TRANSMITTAL

- EXHIBIT A            -   Comparative Statement of Financial Position  
                              As of December 31, 1983 and 1982
- EXHIBIT B            -   Comparative Statement of Net Revenues and Coverage  
                              Years Ending December 31, 1983 and 1982
- EXHIBIT C            -   Summary of Proposed Rate Changes to Chapter 24,  
                              Fort Wayne Municipal Code
- EXHIBIT D            -   Summary of Proposed Non-Monetary Changes to Chapter 24,  
                              Fort Wayne Municipal Code
- EXHIBIT E            -   Pro Forma Statement of Net Revenues and Coverage  
                              at Proposed Rates
- SCHEDULE E-1    -   Detail of Adjustments to Pro Forma Statement of  
                              Net Revenues and Coverage
- EXHIBIT F            -   Comparison of Residential User Charges

July 5, 1984

Board of Public Works  
Common Council  
City of Fort Wayne, Indiana

Dear Gentlemen and Mesdames:


We have been employed by the City's Water Pollution Control Utility to undertake the annual review of its rates and charges pursuant to Chapter 24 of the Fort Wayne Municipal Code and in accordance with the general rate revision provisions of the bond ordinances relating to outstanding revenue bonds of the Utility.

In the course of our study and review we have examined books and records of the Utility and other supplemental operating data. Our examination was not made in accordance with generally accepted auditing standards and accordingly we express no formal opinion in respect of the financial statements of the Utility exhibited hereafter.

In our opinion, the revised rates and charges now being considered by the Common Council subject to a public hearing scheduled for July 10, 1984 are reasonable, non-discriminatory and sufficient pursuant to prevailing Indiana statutes and guidelines prescribed by the U.S. Environmental Protection Agency. Further, in our opinion, the accompanying exhibits and schedules support our foregoing conclusion and provide the Common Council with the financial basis for making findings to approve the sewage rate revisions now being proposed.

Respectfully submitted,

MUNICIPAL CONSULTANTS, INC.

  
Bernard T. Perry

**Municipal  
Consultants, Inc.**

Suite 1251 - South Tower  
One Merchants Plaza  
Indianapolis, Indiana 46204  
(317) 635-3442

Suite 112  
235 South Maitland Avenue  
Maitland, Florida 32751  
(305) 644-1068



FORT WAYNE WATER POLLUTION CONTROL UTILITYComparative Statement of Financial Position  
As of December 31,

	<u>1983</u>	<u>1982</u>
<u>ASSETS AND OTHER DEBITS</u>		
<u>Utility Plant</u>		
Utility Plant in Service	\$ 135,138,142	\$ 115,501,323
Less: Accumulated Depreciation	<u>(20,246,131)</u>	<u>(17,924,884)</u>
Total Utility Plant	<u>114,892,011</u>	<u>97,576,439</u>
Construction Work in Progress	<u>1,631,784</u>	<u>15,146,156</u>
Net Utility Plant	<u>116,523,795</u>	<u>112,722,595</u>
<u>Bond &amp; Interest Sinking Fund</u>	<u>2,660,743</u>	<u>2,285,519</u>
<u>Current and Accrued Assets</u>		
Cash and Temporary Cash Investment		
- O&M, Depreciation	4,987,362	1,564,578
- Construction Account	1,264,408	4,606,288
Accounts Receivable	4,233,194	4,134,329
Accumulated Provision for Uncollectible Accounts	(39,456)	(27,623)
Materials and Supplies	43,051	58,038
Prepayments	30,732	29,898
Interest Receivable	<u>23,133</u>	<u>21,729</u>
Total Current and Accrued Assets	<u>10,542,424</u>	<u>10,387,237</u>
<u>Deferred Debits</u>		
Miscellaneous Deferred Debits	<u>196,827</u>	<u>226,019</u>
 TOTAL ASSETS AND OTHER DEBITS	 \$ <u>129,923,789</u>	 \$ <u>125,621,370</u>

FORT WAYNE WATER POLLUTION CONTROL UTILITY

Comparative Statement of Financial Position  
As of December 31,

	<u>1983</u>	<u>1982</u>
<u>LIABILITIES AND OTHER CREDITS</u>		
<u>Equity of Municipality</u>		
Equity of Municipality	\$ <u>8,642,700</u>	\$ <u>8,642,700</u>
Contributions In Aid of Construction	<u>92,249,097</u>	<u>87,090,581</u>
Retained Earnings	<u>7,656,381</u>	<u>7,002,933</u>
Total Equity of Municipality	<u>108,548,178</u>	<u>102,736,214</u>
<u>Long-Term Debt</u>		
Revenue Bonds Outstanding	<u>17,085,000</u>	<u>17,545,000</u>
<u>Current and Accrued Liabilities</u>		
Notes Payable	547,888	664,449
Accounts Payable	952,826	760,488
Due to Other Funds	549,478	2,315,692
Miscellaneous Current and Accrued Liabilities	68,554	115,977
Accrued Bond Interest Payable	<u>665,428</u>	<u>636,970</u>
Total Current and Accrued Liabilities	<u>2,784,174</u>	<u>4,493,576</u>
<u>Deferred Credits - Federal and State Grants and Reserves</u>		
	<u>1,506,437</u>	<u>846,580</u>
TOTAL LIABILITIES AND OTHER CREDITS	\$ <u><u>129,923,789</u></u>	\$ <u><u>125,621,370</u></u>

FORT WAYNE WATER POLLUTION CONTROL UTILITYComparative Statement of Net Revenues and Coverage  
Years Ending December 31,

	<u>1983</u>	<u>1982</u>
<u>Revenues</u>		
Operating Revenues	\$ 6,519,905	\$ 6,342,172
Interest Income	762,750	881,500
Other Revenues	<u>357,816</u>	<u>57,568</u>
Total Revenues	<u>7,640,471</u>	<u>7,281,240</u>
 <u>Operating Expenses &amp; Taxes</u>		
Operation & Maintenance Expense	3,823,791	3,721,052
Taxes - Other Authorities	181,212	209,317
Civil City Tax Payments	494,474	500,228
Flood Loss Costs	<u>-0-</u>	<u>443,157</u>
Total Operating Expenses & Taxes	<u>4,499,477</u>	<u>4,873,754</u>
 Net Revenues	<u>3,140,994</u>	<u>2,407,486</u>
 Debt Service:		
Principal	460,000	435,000
Interest	<u>1,517,762</u>	<u>1,141,951</u>
Total Debt Service	<u>1,977,762</u>	<u>1,576,951</u>
 Coverage (1)	\$ <u>1,163,232</u>	\$ <u>830,535</u>

(1) Available for extensions, improvements and additions to depreciation cash reserves.



FORT WAYNE WATER POLLUTION CONTROL UTILITYSummary of Proposed Rate Changes to Chapter 24,  
Fort Wayne Municipal Code

	<u>Present Rates</u>	<u>Proposed Rates</u>	<u>% Increase</u>
<u>Rates - Residential</u>			
<u>Billing Determinant (cents per 100 cu. ft.)</u>			
Treatment	18.74	20.52	9.5
Conveyance, Collection, Billing	18.23	19.96	9.5
Capital	<u>11.73</u>	<u>12.84</u>	<u>9.5</u>
Total User Charge	<u>48.70</u>	<u>53.32</u>	<u>9.5</u>
<u>Minimum Charges - Per Month</u>			
5/8" - 3/4" meter	\$ 2.43	\$ 2.66	9.5
1" - 1 1/2" meter	8.58	9.40	9.5
<u>Flat Charges - Per Month</u>			
Single Family - In-City	\$ 4.87	\$ 5.33	9.5
- Out-City	5.84	6.39	9.5
<u>Rates - Industrial</u>			
<u>Billing Determinant (cents per 100 cu. ft.)</u>			
Treatment	18.74	20.52	9.5
Conveyance, Collection, Billing	11.88	13.01	9.5
Capital	8.88	9.72	9.5
Pretreatment - Capital (1)	-0-	.61	-0-
- Administration (1)	<u>-0-</u>	<u>2.50</u>	<u>-0-</u>
	<u>39.50</u>	<u>46.36</u>	<u>11.7</u>
(1) To defray City's costs relating to Industrial Pretreatment Program.			
<u>Other Industrial Charges</u>			
Billing Charge - Per Bill	\$ .55	\$ .60	9.1
Surveillance Charge - Per Month	82.50	90.00	9.1

FORT WAYNE WATER POLLUTION CONTROL UTILITY

Summary of Proposed Rate Charges to Chapter 24,  
Fort Wayne Municipal Code

Other Ordinance Rate Provisions

1. There is no increase in the Capital Surcharge being paid by former Inbalco customers.
2. The summer sewer billing adjustment is repealed.
3. All contract customer rates have been increased approximately 9.5%.
4. Bulk waste charges have been increased approximately 9.5%.

FORT WAYNE WATER POLLUTION CONTROL UTILITYSummary of Proposed Non-Monetary Changes  
to Chapter 24, Fort Wayne Municipal Code

1. The Utility will be directed to undertake a special study for the year beginning July 1, 1984 to determine if industrial pre-treatment credits are justified and the appropriate criteria for calculation of any such credits.
2. An industrial surveillance and pre-treatment program is enacted pursuant to federal and state regulations and charges are fixed, per Exhibit C, to pay for administration of such program.
3. The procedures for financing customer connections by deferred payment plans are formalized.
4. Sewer tap inspections by the Utility are made a pre-condition of connection to the City's sewage system.
5. Penalty for code violations, pursuant to conviction therefor under Indiana law, is increased to \$1,000.
6. Prohibits acceptance of industrial waste having strengths and toxicity in excess of EPA approved limits.
7. Provides for confidentiality of customers' personal credit and financial data and for trade secrets which might be disclosed from City's records relating to a user's industrial waste discharges.
8. Authorizes disconnection for non-payment; limits period of liability for billing errors of Utility to six (6) years.
9. Requires City Clerk to serve notice through County Recorder's office of real property subject to collection of any capital surcharge imposed by Utility.



FORT WAYNE WATER POLLUTION CONTROL UTILITYPro Forma Statement of Net Revenues  
and Coverage at Proposed Rates

	Year Ended December 31, 1983		Adjustments		Pro Forma
		<u>DR</u>		<u>CR</u>	
<u>Revenues</u>					
Operating Revenues	\$ 6,519,905	\$	(1)	\$ 647,391	\$ 7,167,296
Interest Income	762,750				762,750
Other Revenues	<u>357,816</u>	<u>166,000</u>	(2)		<u>191,816</u>
Total Revenues	<u>7,640,471</u>	<u>166,000</u>		<u>647,391</u>	<u>8,121,862</u>
<u>Operating Expenses &amp; Taxes</u>					
Operation & Maintenance Expense	3,823,791	410,000	(3)		4,233,791
Taxes - Other Authorities	181,212				181,212
Civil City Tax Payments	<u>494,474</u>				<u>494,474</u>
Total Operating Expenses & Taxes	<u>4,499,477</u>	<u>410,000</u>			<u>4,909,477</u>
Net Revenues	3,140,994				3,212,385
Debt Service - Revenue Bonds	<u>1,977,762</u>	<u>9,648</u>	(4)		<u>1,987,410</u>
Coverage (1)	\$ <u>1,163,232</u>				\$ <u>1,224,975</u>

(1) Available for extensions, improvements and additions to depreciation cash reserves.

FORT WAYNE WATER POLLUTION CONTROL UTILITYDetail of Adjustments to Pro Forma Statement  
of Net Revenues and Coverage

	<u>DR</u>	<u>CR</u>
(1)		
Operating Revenues	\$	\$ 647,391
To increase revenues for proposed increased rates and for additional charge to industrial users for pre-treatment monitoring.		
(2)		
Other Revenues	166,000	
To reduce revenues for non-recurring inter-departmental income.		
(3)		
Operation and Maintenance Expense	410,000	
To provide for additional operating costs as follows:		
Pre-treatment Budget	\$ 130,000	
Energy Cost Increases	130,000	
Other Cost Increases		
@5% of O&M Costs	<u>150,000</u>	
	<u>\$ 410,000</u>	
(4)		
Debt Service	9,648	
To adjust for 1984 debt service.		

FORT WAYNE WATER POLLUTION CONTROL UTILITYComparison of Residential User Charges  
(80% - 100% Revenue Supported)

	<u>Average Annual One Family Residential</u>	<u>Annual Residential Minimum</u>
<u>Out of State Cities</u>		
Little Rock, Arkansas	80.64	33.60
Atlanta, Georgia	140.00	-0-
Kalamazoo, Michigan	120.00	43.80
Buffalo, New York	115.61	102.00
Greensboro, North Carolina	120.00	39.00
Columbus, Ohio	92.00	15.84
Toledo, Ohio	108.00	31.76
Chattanooga, Tennessee	62.88	24.96
El Paso, Texas	64.38	35.40
Washington, D. C.	158.00	6.13
Colorado Springs, Colorado	129.88	82.80
Dayton, Ohio	57.00	35.00
Fort Wayne - Present Rates	<u>52.35</u>	<u>29.16</u>
- Proposed Rates	<u>57.32</u>	<u>31.92</u>
<u>Indiana Cities</u>		
Anderson	157.38	
Evansville	141.13	
Gary	100.36	
Hammond	70.31	
Indianapolis	83.72	
Lafayette	108.88	
Kokomo	137.00	
Michigan City	63.47	
Muncie	103.20	
South Bend	73.53	





# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

**WHEREAS**, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

**WHEREAS**, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

**WHEREAS**, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

**WHEREAS**, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

**WHEREAS**, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

**WHEREAS**, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

**WHEREAS**, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

**WHEREAS**, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

**WHEREAS**, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

**WHEREAS**, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,



PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Linda Swedberg	3101 Alexander St	46806	7/09/84
David Fleck	3323 Euclid Ave	46806	7-09-84
Timothy Eslinger P.F.A.	2921 Plaza Dr.	46806	7-9-84
Lyndelle Eslinger	2921 Plaza Dr.	46806	7-9-84
Charles Swedberg	3101 Alexander	46806	7-9-84
Gerald & Alice Fleck	3325 S. Anthony	46806	7/10/84
John & Isabel Rippe	3403 S. Anthony	46806	7/10/84
Rev. Aug. Imkman	3323 S. Anthony	46806	7/10/84
John Klein	3310 Euclid Ave		7/10/84
Martha Brooks	3406 Euclid Ave		7/10/84
Sam Jordan	3401 Euclid		7/10/84
Mary Edwards	3405 Euclid		
Thomas E. Fisher	3409 Euclid Ave		7/10/84
Madip Rice	3422 Central Dr.		7/10/84
David Lehman	3418 Central Dr.		7/10/84
Charles E. Shroyer	3414 Central Dr.		7/10/84
Marie Linnel	3410 Central Dr.		7-10-84
Hillarie Moses	3408 Central Dr.		7-10-84



PETITION CONTINUED:

- Page -

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Joseph Roberts Jr	3316	FT. WAYNE 46806	7-10
Sharon Price	1926	Wheat Ave 46806	7-10
Sharon Green	1928	Drexel Ave, 06	7-10-84
James M. Leary	1906	Drexel -	7-10-84
Robert B. D	3315	Central Dr	7-10
James D. D	3401	Central Dr	7-10
Judith D. D	3409	Central Dr.	7-10-84
Lena R. Braun	3416	Plaza Drive	7-10-84
Robert R. Kortkamp	3420	Plaza Dr	7-10-84
Chantary Lehman	3417	Plaza Dr	7-10-84
Daphne M. M	3413	Plaza Dr.	7-10-84
Mrs. Helen M. M	3409	Plaza Dr.	7-10-84
Ruth Fields	3323	Plaza Dr.	7-10-84
Theresa Todd	3402	Plaza Dr.	7-10-84
Harry Todd	" "	" "	7-10-84
Myra B. Kelly	3320	Plaza Dr.	7-10-84
Janita Kelly	3320	Plaza Dr.	7-10-84
Carol Ann Shuts	3117	Plaza Drive	7-10-84
Mable L. Cotton	3106	Plaza Drive	7-10-84

# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

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WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,



PETITION CONTINUED:

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WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
1 Oscar Drought	330 E. Wildwood		7-9-84
2 Carl Messing	331 E Wildwood		7-9-84
3 Mary Starks	308 E Wildwood ave		7-9-84
4 Edward Starks	308 E Wildwood ave		7-9-84
5 Delond Nichols	302 E. Wildwood ave		7-9-84
6 Hank Nichols	300 E. Wildwood ave		7-9-84
7 Obedient Nichols	302 E Wildwood ave		7-9-84
8 Yvette Nichols	302 E. Wildwood ave		7-9-84
9 Belle Walker	3021 S. Clinton St		7-9-84
10 Fred Walker	3021 S. Clinton St.		7-9-84
11 James Rogers	224 E. Wildwood AVE.		7-9-84
12 Gwendolyn C. Rogers	224 E Wildwood AVE.		7-9-84
13 Lucille M. Chapman	221 E Wildwood ave.		7-9-1984
14 Lucille Chapman	221 E. Wildwood		7-9-84
15 Ollie Smith	3304 H. S. Bar St.		7-9-84
16 Leila Robinson	222 E. Wildwood		7-9-84
17 Walter L. Robinson	222 E. Wildwood		7-9-84
18 Georgia Richardson	210 E Wildwood		7-9-84



Signature	No. St	Wayne Zip	Date
19 Gerald Dean Hill	1516	Wildwood 46806	7/9/84
20 LeRoy F. Edelman	3125	Clinton Ct. 46806	7/9/84
21 James R. Edelman	3125	Clinton Ct. 46806	7/9/84
22 Constance J. Dietrich	3201	Clinton Ct 46806	7/9/84
23 Nicholas R. Dietrich	3201	Clinton Ct 46806	7-9-84
24 Michael E. Cuff	3124	Clinton Ct 4T 46806	
25 Tammy L. Cuff	3124	Clinton Ct. St. 46806	
26 Fred B. Cuff	3202	" " " "	
27 Ken Truman Ed Roudier	3130	Clinton Ct.	7-9-84
28 Jones Cplb	3202	Clinton Ct	
29 Rodney Eck	3202 1/2	Clinton Ct.	7-9-84
30 Mary Eck	3202 1/2	Clinton Ct.	7-9-84
31 Robert Hill	3125	Clinton Ct	7-9-84
32 Dwight E. Humphreys	3217	Clinton Ct.	7-9-84
33 Maria V. Cumpacher	3217	Clinton Ct.	7-9-84
34 Evan S. Cunningham	3213	Clinton Ct.	7-9-84
35 Tony Zalli	3116	Clinton Ct.	7/9/84
36 Debbie Zalli	3116	Clinton Ct.	7/9/84
37 Carmen M. Bell	3031	Piqua Ave	7/9/84
38 Walter Hollis	3033	Piqua	7-9/84
39 Dianne Hollis	3033	Piqua	7-9-84
40 Joni M. Roudle	3027	Piqua	7/9/84
41 Kayla Roudle	3027	Piqua	7/9/84
42 Donald Lummpp	3210	Clinton Ct.	7/9/84

PETITION CONTINUED:

- Page -

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
43 Jesse E. Estudany	206 E. Wildwood Ave		7/9/84
44 Beverly Purdie	126 E. Wildwood Ave		7/9/84
45 Frank D. Gubert	126 E. Wildwood Ave		7/9/84
46 Janet Purdie	126 E. Wildwood Ave		7/9/84
47 Curt Purdie	1066 Garden		7/9/84
48 Estelle Crowder	301 E. Wildwood Ave.		7/9/84
49 Ann Proehl	3019 So. Barn St.		7/9/84
50 Ann Proehl	3019 So. Barn St.		7/9/84
51 Robert Nathan	317 East Wildwood Ave		7-9-84
52 Beverly Nathan	317 East Wildwood Ave		7-9-84
53 Carl D. Drenth	324 East Wildwood		7-9-84
54 Rick L. Laine	315 E. Wildwood		7-9-84
55 Barry Nelson	315 E. Wildwood		7-9-84
56 Thelma S. Brown	3020 S. Lafayette St		7-9-84
57 Leif Sandest	424 E. Wildwood		7-9-84
58 Charles Johnson	424 E. Wildwood		7-9-84
59 Walter Henderson	3025 Barn St		7-9-84
60 William H. Haskin	3025 Barn St		7/9/84
61 Noel J. Perry	468 E. Wildwood Ave		7/9/84
62 Florence B. Perry	468 E. Wildwood Ave.		7/9/84
63 Zella Hamell	325 E. Wildwood		7-9-84
64 Mary Curry	3226 Brunser Ave.		7/9/84
65 Samuel Curry	3226 Brunser Ave.		7/9/84
66 Franklin Chanda	3030 S. Lafayette St		7/9/84
67 Edith M. Mynman	3115 S. Calhoun		7/9/84
68 Betty M. Hill	3230 Clinton St		7/9/84
69 Nancy Lewis	3204 Clinton St		7/9/84



Signatureno 2 st 21 Wayne ZipDate

Mr. Arthur Cooper	137 E. Wildwood	46806	7/10/84
Mrs. Linda Causey	137 E. Wildwood	46806	7/10/84
72 Dee Dehon	3029 Piqua St	46806	7-10-84
73 Drew Bleke	1017 Ventura Lane	46816	7-10-84
44 Makin McClockey	313 Piqua	46806	7-10-84
5 Geraldine Melchior	3130 Piqua	46806	7-10-84
5 Reginald Jordan Jr	3214 Clinton Ct	46806	7-10-84
77 Katherine Stepanoff	205 C. Packard Ave	46806	7-10-84
<del>3131 S. Canton</del>	3131 S. Canton	46807	7-10-84
3131 S. Canton	3131 S. Canton	46807	7-10-84
80 Dorothy Klein	3222 Clinton Ct	46806	7-10-84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

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WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
W. K. Schneider	5010 Gaywood Dr.		7/6/84
Wm. Schneider	5010 Gaywood Dr.		7/6/84
Loren Brandt	5101 Hayward		7/10/84
Dale L Brandt	5101 Hayward		7/10/84
Belle Mitchell	4841 S. Park Dr.		7/10/84
Thelma (Bessie)	5007 Gaywood		7/10/84
Wm. E. Gresser	5007 Gaywood		7/10/84
Carrie M Harris	5015 Hayward Dr.		7/10/84
Rondy Harris	5015 Hayward Dr.		7/10/84
Joe Smith	11091 Gaywood Dr.		7/10/84





PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE

NO. & ST. (ALL FT. WAYNE) ZIP

DATE

①	<i>James J. Hartman</i>	1130 Clay	46802	7/7/84
②	<i>Robert L. Davis</i>	425 Madison	46802	7-8-84
③	<i>Richard W. Smith</i>	124 N. ...	46802	7-8-84
④	<i>John S. ...</i>	427 Madison	46802	7-8-84
⑤	<i>Josephine Penning</i>	520 Madison	46802	7-8-84
⑥	<i>Walter Alexander</i>	522 Madison	46802	7-8-84
⑦	<i>Mildred Long</i>	1018 Clay	46802	7-8-84
⑧	<i>John ...</i>	1120 Clay	46802	7-8-84
⑨	<i>Edna Shaheen</i>	421 Madison	46802	7-8-84
⑩	<i>Sam Hahn</i>	435 Madison	46802	7-8-84

# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON" EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,



PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

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SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Virginia L. Purvis	4921 Salem Ln	J.W. 46806	7/9/84
Henry E. Purvis	4921 Salem Lane	F.W. 46806	7/9/84
Thomas & Glynda Brownlee	5002 Salem		
Thomas Brownlee	5002 Salem Ln	46806	7/9/84
Glynda Brownlee	5002 Salem Ln	46806	7/9/84
Theresa H. Lamb	5031 Salem Ln	46806	7-9-84
D. P. Lamb	5031 Salem Ln	46806	7-9-84
William J. Linnick	5702 Salem Lane	46806	7-9-84
Maude Linnick	5702 Salem Lane	46806	7-9-84
Linda Bryant	5026 Salem	46806	7-9-84
Elnora Bryant	5026 Salem	46806	7-9-84
Goodrich T. Lynch	5020 Salem	46806	7-9-84
Jan E. Lynch	5020 Salem	46806	7-9-84
Sara H. Telford	4915 Salem	46806	7/9/84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

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WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

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WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

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SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Ralph Martign	5125 Roberta Dr.	46806	7/9/84
Liliana Gastiger	5125 Roberta Dr.	46806	7/9/84
Mariann Ward	2908 Ashcroft Dr.	46806	7-9-84
Jane Thare	2908 Ashcroft	46806	7-9-84
Doug Duke	2916 Ashcroft	46806	7-9-84
Vicki Beck	2916 Ashcroft	46806	7-9-84
Brenda Hillman	2902 Ashcroft	46806	7-9-84
J.P. Lerch	2824 Ashcroft	46806	7-9-84
Lucille V. Lerch	2824 Ashcroft	46806	7-9-84
Ignacio M. Rieno	2818 Ashcroft	46806	7-9-84
Robert M. Rieno	2818 Ashcroft	46806	7-9-84
Mrs. Wanda Jackson	2810 Ashcroft	46806	7-9-84
Mark Lind	2802 Ashcroft	46806	7-9-84
Mary F. Hafford	5125 Christopher Lane	46806	7-9-84
June Hanlin	3001 Ashcroft Dr.	"	7-9-84
Gary L. Hanlin	3001 ASHCROFT DR.	"	7-9-84
Dorothy Gofford	5124 Devonshire	"	7-9-84
Nellie Rando	3101 Ashcroft Dr.	46806	7-9-84

PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Walter B. Buss	1915 Ashcroft Dr		7-9-84
Olga Springer	3004 Ashcroft Dr		7-9-84
Joseph Kawrecki	3008 Ashcroft Dr		7-9-84
Lois Kawrecki	3008 Ashcroft Dr		7-9-84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

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PETITION CONTINUED:

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SIGNATURE

NO. &amp; ST. (ALL FT. WAYNE) ZIP

DATE \_\_\_\_\_

John Becker

3010 Andre Lane 46806

July 9-84

Jean C. Becker

3010 Andre Ln 46806

July 9-1984

Julia T. Mast

311 *Mistral* 468005

7/9/84

Eugene Chepman

4312 Austin Dr. 46806

7-7-84

Agnes Mansfield

3005 Andreeva 46806

7/9/84

Col Mansfield

3005 Andre have 46800

7/9/84

*William Lloyd Garrison*

4308 Marvin Dr. 9680

7/9/84

Tizzie K. Lee

4308 mason dx 9688

7/9/89

James E. Hensley

4316 Maroon Drive 1680

17/8

Rose M. Hensley

4316 Y. Maroon Drive 100

7-9-84

Diana Ottensmiller

4327 Marvin Dr. 4680

7-9-80



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

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SIGNATURE	NO. & ST. (CALL FT. WAYNE)	ZIP	DATE
Betty B. B. B.	2507 Schaper Dr	46806	7-9-84
William J. Turing	2611 Schaper Dr	46806	7-9-84
Judy Turing	2611 Schaper Dr	46806	7-9-84
Alan South	2703 Schaper Dr	46806	7/9/84
Roland W. Kyle	2709 Schaper Dr	46806	7/9/84
Robert M. Kyle	2709 Schaper Dr	46806	7/9/84
Phyllis M. Oetting	2725 Schaper Dr	46806	7/9/84
Ernie W. Oetting	2819 Schaper Dr	46806	7/9/84
Pat Jordan	2825 Schaper Dr	46806	7-9-84
Guy Colerick	2500 Schaper	46806	7/9/84
Shelly L. Colerick	2500 Schaper	46806	7-9-84

# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

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SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
<u>James W. Fiedling</u>	<u>4606 Wooddale Ln.</u>	<u>FT Wayne 46806</u>	<u>7-9-84</u>
<u>Lara B. Fiedling</u>	<u>4606 Wooddale Ln.</u>	<u>FT. Wayne 46806</u>	<u>7-9-84</u>
<u>Klaus Steinbacher</u>	<u>4608 Wooddale Ln.</u>	<u>FT. Wayne</u>	<u>7-9-84</u>
<u>Ray Ford</u>	<u>2612 Schaper Dr.</u>	<u>FT. Wayne</u>	<u>7-9-84</u>
<u>Mary Jane Ford</u>	<u>2612 Schaper Dr</u>	<u>"</u>	<u>7-9-84</u>
<u>Mildred Nagel</u>	<u>2626 Schaper Dr</u>	<u>"</u>	<u>7-9-84</u>
<u>Gloria E. Denny</u>	<u>2712 Schaper</u>	<u>"</u>	<u>7-9-84</u>
<u>Tom Wilson</u>	<u>2810 Schaper</u>		<u>7/9/84</u>
<u>Judy Horning</u>	<u>2726 E. Maple Ave</u>		<u>7/9/84</u>
<u>FA Thomas</u>	<u>2804 SCHAPER DR</u>		<u>7/9/84</u>
<u>Eloise S. Thomas</u>	<u>2804 Schaper Dr</u>		<u>7/9/84</u>
<u>Mabel W. Cockrum</u>	<u>2816 Schaper Dr.</u>		<u>7/9/84</u>
<u>Diana Berman</u>	<u>2822 Schaper Dr</u>		<u>7-9-84</u>
<u>Russell Denny</u>	<u>2904 Schaper Dr</u>		<u>7-9-84</u>
<u>Patricia Denny</u>	<u>2904 Schaper Dr.</u>		<u>7-9-84</u>
<u>Ernest M. Zeller</u>	<u>2912 Schaper Dr</u>	<u>46806</u>	<u>7-9-84</u>
<u>William B. Hays</u>	<u>2918 Schaper Drive</u>	<u>46806</u>	<u>7-9-84</u>
<u>Dorothy J. Cole</u>	<u>2924 Schaper Dr</u>	<u>46806</u>	<u>7-9-84</u>



DATE \_\_\_\_\_

La Mar Bessert	2928 Schaper Dr	46806	7-9-84
Mark Khewer	3002 Schaper Dr	46806	7-9-84
Virginia N. Spiker	3010 Schaper Dr.	46806	7-9-84
Keith E Spiker	3010 Schaper Dr	46806	7-9-84
Betty L Humphrey	4604 Woodside Ln	46806	7-9-84
Dwight L Humphrey	4604 Woodside Ln	46806	7-9-84

# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,



PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,


WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Kravis Muldoon	5111 Roberta Dr.	46806	7-9-84
Delbert H. Muldoon	5111 Roberta Dr.	46806	7/9/84
Shirley Briggs	5119 Roberta Dr.	46806	7/9/84
Willie Briggs	5119 Roberta Dr.	46806	7/9/84
Larry Bushkill	5110 Robertudine		7/9/84
Betty Bushkill	5110 Roberta Dr.		7/9/84
Thomas McElliot	5102 Roberta Dr.		7-9-84
Natividad Martin	5021 Roberta Dr.		7-9-84
Delores M. Winklett	5019 Robert Dr.		7-9-84
William H. Breeden	5011 Roberta Dr.		7-9-84
Rose Breeden	5011 Roberta Dr.		7-9-84
Hazel Janson	5010 Roberta Dr.		7-9-84
John H. Hall	5002 Roberta Dr.		7-9-84
Dorothy M. Dike	4920 Robert Dr.		7-9-84
Lis Harris	4915 Robert Dr.		7-9-84
Clara L. Harris	4915 Roberta Dr.		7-8-84
Sharon Kellgren	4914 Roberta Dr.		7-8-84
Edell Frederick	4908 Roberta Dr.		7-8-84



NO. &amp; ST. (ALL FT. WAYNE) ZIP

SIGNATURE 

498 Robert A. Th.

AC 806 TN

Ivan R. Zalb.

4902      "      "

46816

Marie Falb

4902 " "

46816

*R. L. Bashaw*

5103 Roberta K. 4680

7-9-84

Robert W Bastion

5103 Roberts Dr 46806

7-9-84

# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON" EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Philys Berning	2537 Marcy Lane	46806	7-9-84
Edna Berning	2537 Marcy Ln	46806	7-9-84
Edna Braun	2527 Marcy Lane		7-9-84
Edmund Braun	2527 Marcy Lane		7-9-84
Eugene P. Bartlett	2521 Marcy Lane		7-9-84
Wesley P. Bartlett	2521 Marcy Ln		7-9-84
Yvonne Johnson	2509 Marcy Lane	46806	7-9-84
Maria Bliznoff	2429 Marcy Lane	46806	7-9-84
Everett Stearns	2503 Marcy Ln		7-9-84
Frances Stearns	2503 Marcy Ln.		7-9-84
J. Lebersaler	2432 Marcy Ln		7-9-84
William P. Pomeroy	2506 Marcy Ln		7-9-84
Carl Thompson	2521 Marcy Lane		7-9-84
Wayne Sadt	2604 Marcy Lane		7-9-84
Rita A. Berghoff	2719 Marcy Lane		7-9-84
Robert H. Berghoff	2719 Marcy Lane		7-9-84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKewise ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Eugene H. Stein	4445 Mc MILLER PK. DR.	46806	7/9/84
Joan M. Stein	4445 Mc MILLER PK. DR.		7/9/84
Joni Merkle	4433 Mc MILLER PK. DR.		7/9/84
Bryan L. Robinson	4427 Mc MILLER PK. DR.		7/9/84
Janaya R. Robinson	4427 Mc MILLER PK. DR.		7/9/84
Patricia Underwood	4471 Mc MILLER PK. DR.		7/9/84
Margaret Goodman	4403 Mc MILLER Park Dr.		7-9-84
Larry Kozier	4319 Mc MILLER Park Dr.		7-9-84
Betty Shaffer	4311 Mc MILLER Park Dr.		7-9-84
Juliana Dillard	2780 McKinnis Ave.		7-9-84
Hammie Gooden	4310 Mc MILLER PK DR		7-9-84
Mart Lucin	4310 Mc MILLER PK DR		7-9-84
Kenneth B. Bower	4316 Mc MILLER PK. DR.		7-9-84
Fredrick Meyer	4322 Mc MILLER		7-9-84
Barbara Beckie	4412 Mc MILLER PK		7-9-84
Joseph C. Becker	4412 Mc MILLER PK. DR.		7-9-84
Billy Henning	4424 Mc MILLER PK. DR.		7-9-84
Betty Boster	4430 Mc MILLER PK. DR.		7-9-84

PETITION CONTINUED:

SIGNATURE

NO. & ST. (ALL FT. WAYNE) ZIP

DATE

*William H. Locks*  
*Dwight Madison*

*4508 Mc Miller Pk Dr*  
*4525 Mc Miller Pk Dr.*

*7-9-84*  
*7-9-84*



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

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WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON" EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Howard A. Lester	2703 Capitol Ave.		July 9, 1984
Doris M. Lester	2703 Capitol		"
Joe L. Olsman	2709 Capitol Ave		July 9, 1984
Ruth H. Lee	2717 Capitol Ave		" " "
Derek M. Olsman	2709 Capitol Ave		July 9, 1984
William A. Schuy	2721 Capitol Ave		July 9, 1984
Peggy A. Schultz	2721 Capitol Ave.		July 9, 1984
Erud L. Noel	2725 Capitol Ave		July 9 - 1984
Marcelline M. Noel	2725 Capitol Ave.		July 9 - 1984
Bob Shuytuph	2803 Capitol Ave		July 9 - 84
Kay Christoph	2803 Capitol Ave.		July 9 - 84
Arnold J. Piering	2810 Capitol Ave		July 9, 1984
P. T. Ponder	2815 Capitol Ave		7-9-84
Dickie Gardner	2815 Capitol Ave.		7-9-84
Marsha Carter	2819 Capitol Ave.		7-9-84
Frank Y. Carter	2819 Capitol		7-9-84
Phyllis Morham	2829 Capitol		7-9-84
John E. Morham	2829 Capitol		7/9/84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
KEITH L HAHN	2903 CAPITOL AVE		7-9-84
Otto F. Knispel	2915 Capitol Ave		7-9-84
Hilda S. Knispel	2915 Capitol Ave		7-9-84
Maud Anna Lepper	2909 Capitol Ave		7-9-84
R E McChmonds	2911 E Maple Grove		7-9-84
Clyde Simon	2825 E Maple Grove		7-9-84
Josephine Simon	2825 E Maple Dr		7-9-84
Josephine Lawson	2910 Capitol Ave.		7-9-84
Edward Antcliff	2826 Capitol Ave		7-9-84
Ernest Antcliff	2826 Capitol Ave.		7-9-84
Cindy Sherrill	2804 Capitol		7-9-84
Edna Richter	2728 Capitol		7-9-84
H. H. Hurdston	2718 Capitol		7-9-84
Florence Huddleston	2718 Capitol		7-9-84
Donald S. Gateways	2507 Capitol Ave		7-9-84
Fred McDougal	2510 Capitol ave.		7-9-84
Gene R. Long	2506 CAPITOL AVE		7-9-84
Margaret Long	2506 Capitol Ave.		7-9-84
Luana J. Romary	2504 Capitol Ave.		7-9-84
Richard J. Romary	2504 Capitol Ave		7-9-84
Tammy Delp	2503 Capitol Ave		7-9-84
Celeste Delp	2503 Capitol Ave		7-9-84
Carolene Patten	2509 Capitol Ave.		7-9-84
Ted Halt	2717 CAPITOL		10 JUL 84
Connie L. Joder	2627 Capitol Avenue		7-10-84
Steven D. Joder	2627 Capitol Avenue		7-10-84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

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WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

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WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENSION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKewise ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Walter K. Hertzog	2717 Priscilla Ln	46806	7-9-84
Ruth L. Hertzog	2717 Priscilla Ln	46806	7-9-84
Morothy F. Surge	2725 Priscilla Lane	46806	7-9-84
Kathy Marburger	2713 Priscilla Ave	46806	7-9-84
Dennis Mommier	2627 Priscilla Lane	46807	7-9-84
Jay E. Dailey	2615 Priscilla Dr.	46806	7-9-84
Dawn Welser	2609 Priscilla Dr	46806	7-9-84
David W. Schuelke	2603 Priscilla	46806	7-9-84
L. Stanger	2604 Priscilla	46806	7-9-84
Erud Bredemeyer	2608 Priscilla	46806	7-9-84
Normina Bredemeyer	2608 Priscilla	46806	7-9-84
James D. Reeder	2614 Priscilla	46806	7/9/84
Helga Busman	2620 Priscilla	46806	7-9-84
Pat Wicks	2708 Priscilla Lane		7-9-84
Kitty Wicks	2714 Priscilla Lane		7-9-84
H. S. Wink	2714 Priscilla Lane		7-9-84
Laurie Ditt	2719 Priscilla Lane		7-9-84
Ronald D. Hashman	4615 Schuyler Dr.		7/10/84

PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Robert C Fowler	4701 Schaper Dr.	46806	7-10-84
Gwendolyn F Fowler	4701 Schaper Dr.	46806	7-10-84
Mark Snyder	4702 Schaper	46806	7-10-84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22  
TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT  
WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS  
PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING  
DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A  
DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE  
FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT  
LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR  
MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY  
WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO  
ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY  
EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD  
PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT  
REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO  
PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE  
AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS  
PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL  
HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY  
SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS  
PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR  
SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT  
THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE  
AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON  
EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF  
FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING  
IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON  
TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE  
THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND  
THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS  
WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER  
PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE  
RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR  
MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE,  
HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES  
SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Walter Hartmann	4416 Marvin Dr.	46806	7/9/84
Betty Hartmann	4416 Marvin Dr.	46806	7/9/84
Veith Bernhill	4423 Marvin Dr.	46806	7/9/84
May F Crosby	4504 Marvin Dr	446	7/9/84
Beverly I. Cranner	4511 Marvin Dr.	46806	7/9/84
Lidia L. Dye	4519 Marvin Dr.	46806	7/9/84
Robert K. Ellis	4412 Marvin Dr.	46806	7/9-84
Norman A. Hlemmer	4503 MARVIN DR	46806	7/9/84
Richard V. Annable	4328 MARVIN DR	46806	7/9/84
George S. Smith Jr.	4430 Marvin Dr.	46805	7-9-84
Ruth Myrrett	4435 Marvin Dr		7-9-84
Clara Bussies	4424 Marvin Dr.		7-9-84
Willie D. Wyall	4410 Marvin Dr		7-10-84
Marilyn M. Lupton	4411 Marvin Dr.		7-10-84
Donald C. Sartow	4411 Marvin Dr.		7-10-84
Gordon W. Rittay	4416 Hassen Cassel		7/10/84
Cecilia C. Thomas	4432 Hassen Cassel		7/10/84
Robert V. Oley	4436 Hassen Cassel		7/10/84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Mary Fung	4516 Hessel Cassel	46806	7-10-84
Victor J. Lammick	4524 Hessel Cassel		7-10-84
Mauder Faust	4534 Hessel Cassel		7-10-84
George Davis	4610 Hessel Cassel		7/10/84
Sybil Howe	4910 Hessel Cassel		7/10/84
Pauline M. Helvick	4906 Hessel Cassel		7-10-84
Barclay Longworth	4916 "		7-10-84
Debbie Bauman	5102 Hessel Cassel		7-10-84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

*Bellinger*  
WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE AD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON" EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

copy  
WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKewise ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Flora Deelling	2505 Schaper	46806	7/10/84
Richard Deelling	2505 Schaper	46806	7-10-84
James T. Wies	2518 Priscilla Ln.	46806	7/10/84
Donna Wies	"	"	"
Malinda Reinking	2510 Priscilla Lane	46806	7/10/84
Alton Reinking	2510 Priscilla Lane	46806	7/10/84
Michael Lyns	2414 Priscilla Lane	46806	7/10/84
Carl Lyns	2414 Priscilla Lane	46806	7/10/84
Marlene Timmerman	2408 Priscilla	46806	7/10/84
Mike Wies	2408 Priscilla	46806	7/10/84
David L. Bruch	2415 Mary Ln.	46806	7/10/84
Brian Waters	2415 Priscilla Ln.	46806	7/10/84
Donald L. Carr	2517 Priscilla Lane	46806	7/10/84
Mary Ann Carr	2517 Priscilla Lane	46806	7/10/84
Lula Strehle	2524 Priscilla Lane		7/10/84
Richard Strehle	2524 Priscilla Lane		7/10/84
Joanne Holzappel	2504 Priscilla Lane		7/10/84
Ernest Holzappel	2504 Priscilla Lane		7/10/84

PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Dennis Kearney	2426 Priscilla Ln	46806	7-18-84
Maureen Kearney	2426 Priscilla Ln	46806	7-10-84
Linda Sue Baker	2511 Priscilla Ln	46806	7-10-84



REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENSION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Clarence E. Smith	4711 TACOMA AVE.	46807	7-9-84
Hyd Smith	4711 Tacoma Ave.	46807	7-9-84
Marie Kaliker	4715 Tacoma	46807	7-9-84
Edmund Kaliker	4715 Tacoma	46807	7-9-84
Dore L. Craft	1221 Maple	46807	7-9-84
Marie L. Akdaint	4705 Tacoma	46807	7-9-84
Marty Sutton	4701 Tacoma	46807	7-9-84
Bill M. Miller	4639 Tacoma	46807	7-9-84
Pat Moore	4629 Tacoma	46807	7-9-84
Gill Schinkel	4702 Tacoma	46807	7-9-84
Rebecca Henry	4706 Tacoma	46807	7-9-84
Edna Wiebke	4710 Tacoma	46807	7-9-84
Judy Meyer	4716 Tacoma	46807	7-9-84
Victor Deminger	4718 Tacoma	46807	7-9-84
Capitola H. Deminger	4718 Tacoma Ave	46807	7-9-84
Genevieve P. Anger	4814 Tacoma	46807	7-9-84
Mary Jane Wood	4823 Tacoma		7/9/84
Pam Lileyson	4817 Tacoma		7/9/84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Charles M. Slater	4815 Tacoma		7/9/84
Vincent Slater	4815 Tacoma		7/9/84
Janet Laurent	4811 Tacoma		7/9/84
Virginia Hinder	6928 Sunland Dr.		7/9/84
Ed Kneller	2220 Dunkelberg Rd		7-9-84
Garnette Gaffers	3420 Hobson Rd		7-9-84
Ray Newell	3215 Addison Ave		7-9-84
John L. Glick	4633 Tacoma		7-10-84
Dale Helmer	4521 Tacoma		7-10-84
Randy R. Russell	4517 TACOMA		7-10-84
Carol M. Johnson	4606 Tacoma 46807		<del>7-10-84</del> 7-10-84
Frances Klingenberg	4610 Tacoma		7-10-84
Bob Phillips	4616 Tacoma		7/10/84
Dale M. Stinson	4631 Indiana Ave		7/10/84
Tom Hogan JR	4624 Tacoma Ave		7-10-84
J. E. Kallaki	4629 BEAVER AVE		7/10/84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL; AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENSION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENSION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKewise ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
William C. Bloch	6340 Donna Drive	46819	7-2-84
Wesley J. Brooker	2615 Fox Ave	46807	7-2-84
Robert E. Brown	6346 Donna	46819	7-2-84
Kathleen O'Brien	6346 Donna Dr.	46819	7-2-84
Joan R. Aleksee	2205 Dale Dr.	46819	7-3-84
John Campbell	3809 Wenona	46809	7-6-84
Mary J. Conzill	3809 Wenona	46809	7-6-84
Leroy D. Stander	715 Nightfall	46819	7/6/84
Marvin L. Beck	2140 Lakewood Dr	46819	7/6/84
Mary Beck	2140 Lakewood	46819	7/6/84
Paul Robson	4430 Whitelake	46816	7-6-84
Raymond Johnson	2111 Lakewood	46819	7-6-84
Eric R. Johnson	2111 Lakewood	46819	7-6-84
Erin C. Ackes	2112 Lakewood	46819	7-6-84
Elsie Tam	2106 Lakewood	46819	7-6-84
Tom Kander	6421 Reserve Line Rd		7/6/84
David R. Griggs	6411 Reserve Line Rd.		7-6-84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Joseph Gindaro	2020 Lakewood	46819	7-6-84
William Gindaro	2820 Lakewood	46819	7-6-84
T. L. Peters	6332 Reserve Line Rd	19	7-6-84
Kerry Fittner	6337 Reserve Line Rd	19	7-6-84
Alma Fittner	6327 Reserve Line Rd	19	7-6-84
Doyt C. Fisher	6307 RESERVE LINE RD		7-6-84
Veronica Fisher	6307 Reserve Line		7-6-84
Julia Pappas	3712 FORESTHICK AVE		7-6-84
Marlene Miller	6315 Reserve Line Rd		7-6-84
Bill Winans	6302 Reserve Line	46819	7-6-84
Carol Winans	6302 Reserve Line Rd		7-6-84
Edgar Gutmacher	6320 Reserve Line Rd		7-6-84
Stanley Gutmacher	6326 Reserve Rd		7-6-84
Michael Stanton	3014 McArthur Drive Apt 16		7-7-84
Larry S Mac Donald	6333 Reserve Line Rd	46819	7-7-84
Julianne MacDonald	6333 Reserve Line Rd	46819	7-7-84
James G Hall	6321 Reserve Line Rd	46819	7-7-84
Michael Hall	6321 Reserve Line Rd	46819	7/7/84
Robert E. Hoyer	6314 RESERVE LINE RD	46819	7/7/84
Robert E. Hoyer	6514 Reserve Line	46819	7/7/84
Maryann Weber	6514 Reserve Line	46819	7/7/84
Bob Davis	2705 MacArthur Dr	46819	7-7-84
Shirley Mason	1105 Fayette Dr	46816	7-7-84
Richard C. Abbott	2024 Maplewood Rd	46819	7-7-84
Chris L. Puggi	2104 Lower Huntington	46819	7-7-84
Herbert J. Black	2002 Maplewood Rd	46819	7-7-84
Jack P. Hoffman	359 E. Hoover Dr	46816	7-7-84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Charles H Stanger	7402 Bradbury	46809	7-7-84
Ray Staley	2718 Corvallis Ave	46809	7-7-84
Donna Staley	2718 Corvallis Ave	46809	7-7-84
Beth Sprague	5605 Webster	46807	7/7/84
Gloria J Munn	6522 Donna Dr	46819	7/7/84
Norman L. Munn	6521 Donna Dr	46819	7/7/84
Teresa A. Schwank	6521 Donna Dr	46819	7/7/84
Elaine Scheel	6515 Donna Dr	46819	7/7/84
Garnette Doysee	6511 Donna Dr	46819	7-7-84
Michael D. Koontz	6315 Donna Dr	46819	7-7-84
Debra J. Koontz	6315 Donna Dr	46819	7-7-84
Kenneth H Bairbridge	6306 Donna Dr	46819	7-7-84
Nancy R. Bairbridge	6306 Donna Dr	46819	7-7-84
H. B. Tipton	6302 Donna Dr	46819	7-7-84
Ruth E. Tipton	6302 Donna Dr	46819	7-7-84
E. William Buefirth	2214 Interlaken Dr	46819	7-7-84
Kay Steinforth	2214 Interlaken Dr	46819	7-7-84
Werner. Reckeweg	1929 Reckeweg Rd		7-7-84
Stella C. Reckeweg	1929 Reckeweg Rd		7-7-84
Elizabeth Meese	6250 Donna	46819	7-7-84
R. L. Commers	6245 Donna	46819	7-7-84
Suzanne Commers	6245 Donna	46819	7-7-84
Mr. Richard Commers	6229 Donna Dr	46819	7-7-84
John E. Nite	6231 Maywood Cir	46819	7-7-84
Fern A. Hite	6231 Maywood Cir	46819	7-7-84
Blanche Bunsard	6210 Resonance	46819	7-7-84
Robert E. Hay	6306 Resonance	46819	7-7-84

PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Dorothy Strombach	230 W Harmon Ter	46807	7-8-84
C. V. Nartker	6420 Donna Dr		7-8-84
Ruth Nartker	6420 Donna Dr		7-8-84
Melbae E. Blk	6501 Maywood Cir		7-8-84
Sherry L. Blake	6501 Maywood Cir		7-8-84
Arthur L. Doctor	6432 Maywood Dr		7-8-84
Edna Doctor	6432 Maywood Cir		7-8-84
Karen Leffers	2210 Fairack Dr.	46819	7-8-84
Stephen T. Leffers	2210 Fairack Dr.	46819	7-8-84
Cheryl Lewerton	2227 Fairack	46819	7-8-84
Bill Lewerton	2227 Fairack	46819	7-8-84
Edmund A. Clark	6534 Liberty DR	46819	7-8-84
Debra S. Clark	6534 Liberty Dr.	46819	7-8-84
Bill Haysell	6614 Liberty		4-6-80
Paul M. Haysell	6621 Liberty	46819	2-8-84
Paul M. Haysell	6511 Liberty Dr	46819	7-8-84
Paul L. Haysell	6511 Liberty Dr	46819	7-8-84
Roy Monroe	6419 Bluffton Rd.	46809	7-8-84
Roxanne Monroe	6419 Bluffton Rd.	46809	7-8-84
Mary Link	6315 Bluffton Rd	46819	7-8-84
Harry Link	6315 Bluffton Rd	46819	7-8-84
Ken R. O'Brien	6311 Bluffton Rd	46809	7-8-84
Susan J. O'Brien	6311 Bluffton	46809	7-8-84
Kathy S. Schannen	6307 Bluffton	46819	7-8-84
Robert E. Pierce	6305 Bluffton Rd	46809	7-8-84
Robert E. Pierce	6305 Bluffton Rd	46809	7-8-84
Eugene Barnett	6301 Bluffton Rd	46809	7-8-84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Paul J. Burrill	6210 Donna Dr	46819	7/7/84
Donna J. Burrill	6326 Reserve Line Rd.		7/7/84
Sharon M. Burziga	2303 Interlaken Dr	46819	7/7/84
Alfred Burziga	2303 Interlaken Dr	46819	7/7/84
Henry Burziga	6135 Downingtown Dr	46816	7/8/84
Robert L. Chandler	609 Russell Ave	46808	7/8/84
Annette M. Chandler	609 Russell Ave	46808	7/8/84
Carol M. Barnhart	6135 Downingtown Dr	46816	7/8/84
Henry L. Lasser	6517 Fernwood Ave	46809	7/8/84
Sandy Zolt	2713 Fairview Dr	46809	7/8/84
Marjorie Leppner	6517 Fernwood	46809	7/8/84
John Struve	3526 ALGONQUIN PASS	46809	7/8/84
Marjorie L. Struve	3526 Algonquin Pass	46809	7/8/84
Bobby Welch	2813 Allegheny	46809	7/8/84
Shirley Powell	1818 Eileen St	46819	7/8/84
Cheryl Silver	2107 Logana	46819	7/8/84
Charles Powell	1818 Eileen St.	46819	7/8/84
R. C. Breckley	3105 Euclid	46816	7/8/84
Paul H. Jones	1511 Andis Dr	46819	7/8/84
Edna Sprunger	1511 Andis Dr	46819	7/8/84
Helen Schuchman	6115 Hystere Dr	46816	7/8/84
Simon Dettmer	8315 Blythton Rd	46809	7-8-84
Martha Hoke	7035 Bradbury	46809	7-8-84
Charles Klenke	2505 Oak Dr	46819	7-8-84
Gertrude Dettmer	8315 Blythton Rd	46809	7-8-84
Lisa E. Dvor	1143 Branning Ave	46807	7-8-84
Paul Strombeck	230 N. Shumway	46807	7-8-84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Ethyle R. Bloch	6340 Donna Drive	46819	7-6-84
M. C. George	6406 Donna	"	7/7/84
Jeanne George	" "	"	
Ben F. Fletcher	6506 Donna		7/7/84
Geo. Sontels	6516 Donna		7/7/84
Anna G. Colburn	6532 Donna		7/7/84
Willis E. Colburn	6532 Donna		7-7-84
Carl E. Bower	6640 Maywood CR		7-7-84
Ed. Moore	6619 Maywood Cr.		7-7-84
Eleanor Forsyth	6620 Maywood Cr.		7-7/84
Ray E. Lomax	6605 Maywood		7-7-84
Lynda L. Jones	6605 Maywood		7/7-84
Lee & Sharon Pence	6609 Maywood		7/7-84
Frances Morhenke	6606 Maywood cr.		7/7/84
Bernard Kenneth Lohel	6515 Maywood Cir		7-7-84
Boris Shurhoff	6508 Maywood Cir		7-7-84
Melanie Shurhoff	6500 Maywood Cir.		7-7-84
Mabel A. Green	6445 Maywood Circle		7-7-84
Barbara Stage	6425 Maywood Cir.		7-7-84
Edna Eickhoff	6421 Maywood Circle		7-7-84
Rh. Hunnicutt	6422 Maywood Cir		7-7-84
B.D. Lunsford	6407 Maywood Cir		7-7-84
J. D. Patterson	6323 Maywood CIR		7-7-84
Mrs. J. Patterson	6323 Maywood Circle		7-7-84
Ralph A. Schinckel	6324 Maywood Cir		7-7-84
Wida L. Fitch	6320 Maywood Cir		7-7-84
Kathleen M. Grier	6316 Maywood Cr		7-7-84

[illegible]

PETITION CONTINUED:

[illegible]



WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENSION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

DATE \_\_\_\_\_

Christa Brewster	5109 Ridgelande Drive - 46804	7-8-84
Ralph C. Thomas	3301 Oliver St 46806	7-8-84
Lillian C. Lane	3523 Theiss St 46806	7/8/84
Edwice Thomas	3301 Oliver St 46806	7-8-84
Donna K. Egan	905 E Ruffin St Blvd	7-8-84
May A. Wright	3322 Oliver St	7/8/84
Harry K. Harris	3719 Reed St	7-10-84

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Allie King	2802 Chestnut St.	46803	7-7-84
Henry Schnelker	2926 Chestnut St.	46803	7-7-84
Allie C. Robson	2925 Chestnut St.		7-7-84
John H. H. H. H.	2921 Chestnut St.		7-7-84
Rosemary Butterfield	2917 Chestnut St.		7-7-84
Yusef H. H. H.	2923 Chestnut St.		7-7-84
Frank H. H.	2914 Chestnut St.		7-7-84
Patrick R. H. H.	2913 Chestnut St.		7-7-84
James Smith	2909 Chestnut St.		7-7-84
Vernice Bartosh	2901 Chestnut St.		7-7-84
Isaiah Upshaw	2902 Chestnut St.		7-7-84
Deborah H. H.	2830 Chestnut St.		7-7-84
Ernest H. H.	2829 Chestnut St.		7-7-84
Gloria Cooper	2905 Chestnut St.		7-7-84
Lealas Cooper	2239 Chestnut St.		7-7-84
Juanita L. H. H.	2825 Chestnut St.		7-7-84
Walter Brown	2821 Chestnut St.		7-7-84
Randy A. H.	2817 Chestnut St.		7-7-84



PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Lerna Dill	2809 Chestnut		7-7-84
Raymond Dallas	2816 Chestnut		7-7-84
Paul Edwards	2813 Chestnut		7-28P
Lisa Easter	2801 Chestnut St		7-7-84
Kim C. Brooks	2730 Chestnut St		7-7-84
Jertha Harris	2726 Chestnut ST.		7-7-84
Jane Thomas	2724 Chestnut		7-7-84
Judy Ashley	2713 Chestnut		7-7-84
W. G. Mason	2709 Chestnut		7-7-84
Barbara Beames	2705 Chestnut		7-7-84
Kevin Lank	2705 Chestnut		7-7-84
Michelle Kukur	2633 Chestnut St		7-7-84
Chris Edwards	2632 Chestnut St		7-7-84
Thomas S. Westwood	2619 Chestnut		7-7-84
Lillian Beedy			
Murdoch - Suber	1725 Lombard St		7-7-84
Renee Murdoch	1725 Lombard St		7-7-84
Shirley Russell	1705 Lombard St.		7-7-84
John Chacon	1804 Lombard ST		7-7-84
Rose Jones	2701 Chestnut ST		
Emma Bentes	2516 Chestnut		7-7-84
Apollone Martin	2704 Chestnut St		7-7-84
Belinda Bouie	631 Jefferson		7-7-84
Elaine Wilcox	1720 Lombard		7-7-84
Fatie Garrett	2529 Chestnut st.		7-7-84
Nina Johnson	2529 Chestnut st.		7-7-84
Sharon Hopkins	2529 Chestnut ST.		7-7-84
John Williams	2529 Chestnut ST		7-7-84
Mary Gooden	2529 Chestnut ST		7-7-84
			7-7-84

AB



1.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

HE FURTHER REQUEST, THAT ORDINANCE NO. 15-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENSION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

DATE \_\_\_\_\_

Yvonne Lemay	2309 Hill St 46803	July 10, 1984
Eric A. White	2817 2nd St 46804	7-10-84
James Bailey	1403 Hill St 46803	7-10-84
Donna E. White	1418 E. Berry 46803	7-10-84
Mark K. White	2734 Riverside 46803	7-10-84
Mrs. Wm H. Smith	3431 Harvard 46803	7-10-84
Mr. Alfonso R.	2734 Riverside 46803	7-10-84
Tom Buchanan	2719 Chestnut St 46803	7-10-84

AB

PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENSION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE

NO. & ST. (ALL FT. WAYNE) ZIP

DATE

<i>James M. T. T.</i>	<i>2314 New Haven Ave</i>	<i>7/10/84</i>
<i>Cindy Butler</i>	<i>2330 7th - Wainline</i>	<i>7/10/84</i>
<i>Sarah Hill</i>	<i>2714 New Haven Ave</i>	<i>7/10/84</i>
<i>Robert C. Jones</i>	<i>2315 New Haven Ave</i>	<i>7/10/84</i>
<i>Robert E. Jones</i>	<i>2328 New Haven Ave</i>	<i>7/10/84</i>
<i>J. C. McKinnis</i>	<i>2327 New Haven</i>	<i>7/10/84</i>
<i>William Cox</i>	<i>2425 New Haven</i>	<i>7/10/84</i>
<i>Clifford M. Jones</i>	<i>2326 Chandler St</i>	<i>7/10/84</i>
<i>Richard B. Jones</i>	<i>2629 New Haven Ave</i>	<i>7/10/84</i>
<i>James M. Jones</i>	<i>2754 1/2 New Haven Ave</i>	<i>7/10/84</i>
<i>Linda A. Jones</i>	<i>2801 New Haven Ave</i>	<i>7/10/84</i>
<i>Wynne L. Whitman</i>	<i>2817 New Haven Ave</i>	<i>7/10/84</i>
<i>Colin L. Whitman</i>	<i>2817 New Haven Ave</i>	<i>7/10/84</i>
<i>James M. Jones</i>	<i>2821 New Haven Ave</i>	<i>7/10/84</i>
<i>William L. Jones</i>	<i>2921 New Haven Ave</i>	<i>7/10/84</i>
<i>Charles A. Jones</i>	<i>2922 New Haven Ave</i>	<i>7/10/84</i>
<i>William H. Schuler</i>	<i>" " " "</i>	<i>" " " "</i>
<i>William H. Schuler</i>	<i>" " " "</i>	<i>" " " "</i>

AD



PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKewise ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Birney Anderson	1629 Rockledge Rd	46804	Jul. 9-84
Ray Lee Andrus	1639 Rockledge Rd	46804	7-10-84
Joan Rita Anderson	1639 Rockledge Rd	46804	7-10-84
Jane Hallick	5024 Wisteria Ln	46804	July 10, 1984
Beverly H. Kosciak	1315 Gardenia Ln	46804	July 10, 1984
Gerald & Judy	4929 Wisteria Lane		July 10, 1984
Larry & Judy	4929 Wisteria Lane		July 10, 1984
James R. Stue	4939 Wisteria Lane		July 10, 1984
Nancy Morgan	5031 Wisteria Lane		July 10, 1984
Steph & Jim	5111 Wisteria Lane		July 10, 1984
John & Jim	5111 Wisteria Lane		July 10, 1984
Roseanne Dawling	5110 Wisteria Lane		July 10, 1984
Sandra King	1314 Gardenia Lane		July 10, 1984
Jack & Kim	1314 Gardenia Ln		July 10, 1984
Alan & Joyce	1308 Gardenia Ln		7-10-84
Christel E. O'Keefe	1308 Gardenia Ln		7-10-84
Dorothy Krupstein	5031 Daffodil Dr		7-10-84
Fester Krupstein	5031 Daffodil Dr		7-10-84

PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
RE Chazan	5030 Daffodil Dr		7-10-84
Virginia Chazan	5050 Daffodil Dr		7-10-84
Howard Blanton	5030 Wistonia Ln		7-10-84
Mrs Chas. Blanton	5030 Wistonia Ln		7/10/84
James Crofton	5014 Wistonia		7/10/84
Lorene P. Hilgemann	1741 Reckeweg Rd.		7-10-84
Tilla Lichenbach	1929 Reckeweg Rd		7-10-84
Virginia Lichenbach	1929 Reckeweg Rd.		7-10-84
Paul W. Seuff	2031 Reckeweg Rd		7-10-84
Gertrude Seuff	2031 Reckeweg Rd		7-10-84
Mrs. Jane Turner	4811 Infantine Rd		7-10-84
Paul Turner	2123 Reckeweg		7-10-84
Mar. Z. Brown	4954 South Hill Dr.		7-10-84
Kim Walker	5008 Southfield Dr.		7-10-84
Joseph C. Huguenard	5018 Southfield Dr.		7-10-84
Mary Volk	2102 Northfield Dr		7-10-84
John Kayser	5070 Northfield Dr		7-10-84
Debra Minnick	5025 Northfield Dr.		7-10-84
Carolyn McDonald	5010 Northfield Dr		7-10-84
John Bunker	5003 Northfield		7-10-84
Richard J. Holzinger	4920 Northfield Dr		7/10/84
James J. Knuth	1910 Ridgely Rd		7/10/84
John J. Thomas	4810 Ridgely Dr.		
Michael J. Thomas	4803 Ridgely Dr.		7/10/84
Thomas Burns	2407 Sandpiper		7/10/84



# P E T I T I O N

REQUEST FOR AMENDMENT OF PROPOSED ORDINANCE NO. G-84-06-22

TO: MAYOR WINFIELD C. MOSES JR. AND MEMBERS OF THE FORT WAYNE CITY COUNCIL

WHEREAS, THE PROPOSED ORDINANCE DATED JUNE 26 1984, AS PUBLISHED, WILL ESTABLISH MAJOR CHANGES IN THE MANNER OF BILLING DOMESTIC CUSTOMERS FOR SEWAGE SERVICE; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, EXHIBITS A DEPLORABLE DEGREE OF POLITICAL ARROGANCE BY THOSE WHO WOULD VOTE FOR ITS APPROVAL, AS WRITTEN; AND,

WHEREAS, THE SAME ORDINANCE, AS PUBLISHED, SHOWS A GREAT LACK OF SENSITIVITY FOR THE ECONOMIC NEEDS OF YOUNG SINGLE AND/OR MARRIED HOMEOWNERS, CHILDLESS FAMILIES AND SENIOR CITIZENS, MANY WHO LIVE ALONE AND USE LESS THAN THE MINIMUM SERVICE AND ALL WHO ARE STRUGGLING TO PAY THE RENT OR MAINTAIN THEIR HOMES AND PAY EVER INCREASING CITY UTILITY BILLS; AND,

WHEREAS, PROVISION OF BILLING FOR ACTUAL USAGE WOULD PROVIDE AN INCENTIVE FOR WATER CONSERVATION AND COINCIDENT REDUCTION OF NEED FOR SEWAGE TREATMENT CAPACITY FOR THOSE WHO PRESENTLY ARE BILLED THE MINIMUM CHARGE FOR LESS THAN THEY USE AND CONSEQUENTLY SEE NO ECONOMIC INCENTIVE FOR CONSERVATION; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN ON ALL HOMEOWNERS WHO SHOW PRIDE IN THE APPEARANCE OF THE HOMES BY SPRINKLING THEIR LAWNS AND FLOWERS; AND,

WHEREAS, THE SAME ORDINANCE WILL, IF APPROVED AS PUBLISHED, LOAD AN UNUSED SEWAGE SERVICE CHARGE BURDEN FOR SPRINKLING ON THOSE WHO, BECAUSE OF NEED OR OTHERWISE, SUPPLEMENT THEIR DIET WITH HOME GROWN VEGETABLES; AND,

WHEREAS, THE USE OF WATER FOR SPRINKLING DOES NOT CREATE A SEWAGE TREATMENT LOAD NOR COST ON THE CITY UTILITIES SEWAGE PLANT; AND,

WHEREAS, THERE IS A NEED TO EXTEND THE "SPRINKLING SEASON EXEMPTION TO FOUR MONTHS FROM THE PRESENT THREE MONTHS BECAUSE OF FREQUENT LACK OF RAINFALL DURING THE FOURTH MONTH WHEN SPRINKLING IS OFTEN MOST NECESSARY; AND,

WHEREAS, EXTENTION OF THE EXEMPTION FOR SPRINKLING SEASON TO FOUR MONTHS FROM THE PRESENT THREE MONTHS WOULD SYNCHRONIZE THE BILLING PROCESS WITH THE ACTUAL METER READING SCHEDULE AND THEREBY SIMPLIFY AND CORRECT PRESENT OVERCHARGES AND PROBLEMS WITH THE UNWORKABLE COORDINATION OF BILLING WITH THE UNREAD METER PERIOD; AND,

WHEREAS, THE PRESENT MODE OF BILLING FOR SEWAGE SERVICE RECEIVED, EXCEPT FOR THE NEED FOR THE SEASON EXTENTION TO FOUR MONTHS AND EXCEPT FOR ELIMINATION OF MINIMUM BILLING, AS ABOVE, HAS PROVIDED AN EQUITABLE AND OTHERWISE ACCEPTABLE CITY UTILITIES SERVICE; NOW THEREFORE,



PETITION CONTINUED:

WE, THE UNDERSIGNED RESPECTFULLY REQUEST, THAT PROPOSED ORDINANCE NO. G-84-06-22 BE AMENDED TO ELIMINATE THE USER MINIMUM CHARGES UNDER SEC 24-31 AS CALCULATED IN ACCORDANCE WITH THE WATER CONSUMPTION SCHEDULE IN SEC 24-30; AND,

WE FURTHER REQUEST, THAT ORDINANCE NO. G-84-06-22 BE FURTHER AMENDED, AS NECESSARY, TO INCLUDE THE PROVISIONS OF THE PRESENT SPRINKLING SEASON EXEMPTIONS PLUS THE EXTENTION OF THE SPRINKLING SEASON EXEMPTION TO FOUR MONTHS INSTEAD OF THE PRESENT THREE MONTHS; AND,

WE FURTHER PROVIDE ADVANCE NOTICE OF OUR REQUEST, THAT THE USER MINIMUM CHARGE BE LIKEWISE ELIMINATED FROM BILLING FOR WATER SERVICE, IF NOT NOW THEN, WITH THE NEXT INCREASE IN WATER SERVICE RATES WHICH HAVE BEEN REPORTED TO BE UNDER WAY.

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Clarence E. Smith	4711 TACOMA AVE.	46807	7-9-84
Hyatt Smith	4711 Tacoma Ave.	46807	7-9-84
Marie Kaliker	4715 Tacoma	46807	7-9-84
Edmund Kaliker	4715 Tacoma	46807	7-9-84
Dale L. Craft	1221 Wayne	46807	7-9-84
Marie L. Akcavit	4705 Tacoma	46807	7-9-84
Marty Sutton	4701 Tacoma	46807	7-9-84
Bob McMillan	4689 Tacoma	46807	7-9-84
Pat Moore	4629 Tacoma	46807	7-9-84
Jill Schinkel	4702 Tacoma	46807	7-9-84
Rebecca Henry	4706 Tacoma	46807	7-9-84
Edna Weebke	4710 Tacoma	46807	7-9-84
Judy Meyer	4716 Tacoma	46807	<del>7-9-84</del> 7-9-84
Victor Delminger	4718 Tacoma	46807	7-9-84
Capitola H. Drinninger	4718 Tacoma Ave	46807	7-9-84
Jeanette P. Angold	4814 Tacoma	46807	7-9-84
May Jane Ward	4825 Tacoma		7/9/84
Tom Linayron	4817 Tacoma		7/9/84

PETITION CONTINUED:

SIGNATURE	NO. & ST. (ALL FT. WAYNE)	ZIP	DATE
Shirley M. Matsu	4815 Tacoma		7/9/84
Vincent Matsu	4815 Tacoma		7/9/84
Janet Laurent	4811 Tacoma		7/9/84
Virginia Ginder	6928 Sunland Dr.		7/9/84
Ed Mueller	2220 Brunkelberg Rd		7-9-84
Gisette Giffers	3420 Hobson Rd		7-9-84
Ray M. Mauer	3215 Addison Ave		7-9-84
John L. Nicky	4633 Tacoma		7-10-84
Dale Hespier	4521 Tacoma		7-10-84
Kathy R. Kapph	4517 TACOMA		7-10-84
Carol M. Joannice	4606 Tacoma 46807		<del>7-10-84</del> 7-10-84
Frances Klingengerger	4610 Tacoma		7-10-84
Bob P. Olip	4616 Tacoma		7/10/84
Dale M. Stinson	4631 Indiana Ave		7/10/84
Tom Hogan JR	4624 Tacoma Ave		7-10-84
J. E. Katsuki	4629 BEAVER AVE		7/10/84



# The City of Fort Wayne

July 27, 1984

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of July 31, 1984 and August 7, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-84-06-22  
General Ordinance No. G-17-84

"Sewer and Sewerage System"

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 24th day of  
July, 1984, the Common Council of the City  
of Fort Wayne, Indiana, in a Regular Session did pass  
the following Bill No. G-84-06-22 General  
Ordinance No. G-17-84 to-wit:

1 BILL NO. G-84-06-22

2 GENERAL ORDINANCE NO. G-17-84

3 AN ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE  
4 MUNICIPAL CODE AND SUBSTITUTING AND ENACTING THEREFOR  
5 A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWERAGE SYSTEM"  
6 FOR THE PURPOSE OF ADJUSTING RATES AND OTHER PROVISIONS  
7 SET FORTH THEREIN.

8 WHEREAS, the Common Council now finds that the fees  
9 charged for services rendered by the Sewage Works owned and  
10 operated by the City of Fort Wayne are not sufficient to maintain  
11 the Sewage Works in the sound physical and financial condition  
12 necessary to render adequate and sufficient service and that  
13 said fees are not sufficient to pay all expenses to operate and  
14 maintain the Works; to pay interest charges on bonds or other  
15 obligations; to provide the sinking fund required for revenue  
16 bonds heretofore issued; to provide adequate money to be used  
17 as working capital; to provide adequate money for improving and  
18 replacing the Works; and to provide the amount of money suffi-  
19 cient to compensate the City for the property taxes that would  
20 be paid on the Sewage Works if the Sewage Works were privately  
21 owned; and,

22 WHEREAS, certain terms and conditions incident to the

rendering of efficient and non-discriminatory service to users



# The City of Fort Wayne

August 1, 1984

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of August 4, 1984 and August 11, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-84-06-22  
General ORDinance No. G-17-84

"Sewer and Sewerage System"

Please send us 5 copies of the Publihser's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



# The City of Fort Wayne

June 26, 1984

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of June 29, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-84-06-22

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne

ENCL: 1



NOTICE OF HEARING ON  
PROPOSED RATES AND CHARGES  
OF FORT WAYNE SEWAGE WORKS

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on June 26, 1984, the Common Council introduced Ordinance No. G-84-06-22, thereby determining to establish rates and charges for services to be rendered by the sewage works. At a meeting of the Common Council to be held at 7:30 P. M. (Fort Wayne Time), on July 10, 1984, in the Council Chambers, there will be a public hearing on the matter of the rates and charges, and consideration of adoption of said Ordinance No. G-84-06-22, which provides in part as follows:

Sec. 24-3-5 Sewer Tap Permits

Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

Sec. 24-7. Penalty for Violations

Any landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

## Article VI. . User Charges

### Sec. 24-30. User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

	<u>Service Charge (cents per 100 cu. ft.)</u>	
	<u>Domestic</u>	<u>Class of User</u> <u>Manufacturing</u>
Treatment	20.52	20.52
Conveyance, Collection, Billing	19.96	13.01
Capital	12.84	10.33
Pretreatment Administration	-0-	2.50
Total User Charge	53.32	46.36

### Sec. 24-31. User Minimum Charges.

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

<u>Water Meter Size</u>	<u>Minimum Monthly Charge</u>
5/8 - 3/4"	\$ 2.66
1 - 1½"	9.40
2"	19.17
3"	38.52
4"	64.04
6" or larger	177.87

### Sec. 24-32. User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

<u>Classification of Customer</u>	<u>Monthly Flat Charge (1)</u>	
	<u>In-City</u>	<u>Out-City</u>
Domestic User - Single Family Dwelling	\$5.33	\$6.39
Domestic User - Multi Family Dwelling	To be estimated by City	
Commercial and Industrial User	To be estimated by City	

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)

Treatment	20.52
Capital Charge	12.88
	33.40

-2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

-4 Excess Strength of Wastes Surcharge

In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	<u>Cents Per Pound</u>
Suspended Solids - (SS)	4.304
Biochemical Oxygen Demand - (BOD)	4.300
Phosphorus - (P)	41.193

-5 Capital Surcharge

In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

-6 Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds



any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1). Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

- Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.
- Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.

Article IX. Delinquent Accounts

Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Water Service.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after

reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24.49 List of Delinquent Fees and Penalties - Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Dated: June 26, 1984

  
Sandra E. Kennedy

-3 That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor and due legal publication thereof.

Thomas C. Henry

COUNCIL MEMBER

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven  
Bradbury, Eisbart, GiaQuinta, Henry, Redd, Stier,  
Talarico

Nays: Two  
Burns, Schmidt

Date: 7-24-84

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-17-84 on the 24th day of July, 1984.

ATTEST:

(SEAL)

Sandra E. Kennedy  
City Clerk

Ben A. Eisbart  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1984, at the hour of 11:30 A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 25th day of July, 1984, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of \_\_\_\_\_ General \_\_\_\_\_ Ordinance No. G-17-84, passed by the Common Council on the 24th day of July, 19 84, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 19 84, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 19 84.

SEAL

SANDRA E. KENNEDY, CITY CLERK



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To

JOURNAL-GAZETTE

Dr.

P.O. BOX 100

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		.....
Head	number of lines	1
Body	number of lines	1304
Tail	number of lines	1
Total number of lines in notice		1306

COMPUTATION OF CHARGES

1306	lines, 1	columns wide equals	1306	equivalent lines at	.450¢	\$	587.70
		cents per line					
Additional charge for notices containing rule or tabular work (50 per cent of above amount)							
Charge for extra proofs of publication (50 cents for each proof in excess of two)				3 extra			1.50
TOTAL AMOUNT OF CLAIM							\$ 589.20

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type	6	point
Number of insertions	2	Size of quad upon which type is cast	6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date

Aug. 11

19

84

Title

CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:  
8/4 - 8/11/84

ATTACH COPY OF  
ADVERTISEMENT HERE

Subscribed and sworn to me before this 11th day of August 19 84

Notary Public

My commission expires March 6, 1986

## LEGAL NOTICE

Notice is hereby given that on the 24th day of July, 1984, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Ordinance No. G-84-06-22 General Ordinance No. G-17-84 with:

Bill No. G-84-06-22

GENERAL ORDINANCE NO. G-17-84

AN ORDINANCE REPEALING CHAPTER 24 OF THE CITY OF FORT WAYNE MUNICIPAL CODE AND ESTABLISHING AND ENACTING THEREFOR A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWERAGE SYSTEM" FOR THE PURPOSE OF ADJUSTING FEES AND OTHER PROVISIONS SET FORTH HEREIN.

WHEREAS, the Common Council now finds that the fee charged for services rendered by the Sewage Works owned and operated by the City of Fort Wayne is not sufficient to maintain the Sewage Works in the best physical and financial condition necessary to render adequate and sufficient service and that said fee is not sufficient to pay all expenses to operate and maintain the Works; to pay interest charges on bonds or other obligations; to provide the sinking fund required for revenue bonds heretofore issued; to provide adequate money to be used as working capital; to provide adequate money for improving and replacing the Works; and to provide the amount of money sufficient to compensate the City for the property taxes that would be paid on the Sewage Works if the Sewage Works were privately owned; and

WHEREAS, certain terms and conditions incident to the rendering of efficient and non-discriminatory service to users of the Sewage Works should be amended and revised to reflect current operating conditions; and

WHEREAS, the City of Fort Wayne has been mandated by state and federal regulatory authorities to adopt and enforce pretreatment standards and requirements for certain of its contributing industrial users thereby causing in future periods a reduction in the strength and toxicity of effluent discharged to City waters by said industrial users;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, as presently enacted, is repealed in its entirety and substituted therefor shall be an amended and revised Chapter 24 attached hereto and made a part of this ordinance.

SECTION 2. That this Ordinance be adopted after a public hearing has been held pursuant to I.C. 9-23-26 and duly published notice thereof pursuant to I.C. 5-3-1.

SECTION 3. That in addition to the "Annual Review Service Charges" prescribed in Sec. 24-35 of Chapter 24 that the Sewage Works undertake a study of the strength of waste discharges of its contributing industrial users for a period of one (1) year commencing July 1, 1984 for the purpose of establishing pretreatment credits which may be

-128. "Replacement Cost" - that cost, stated in current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.

-129. "Sanitary Sewage" - sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, lodging or boarding houses, office buildings, factories or institutions and free from storm waters, surface water and industrial wastes.

-130. "Service Charge" - the basic assessment levied on all users of the public sewerage system for wastes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.

-131. "Sewage" - the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.

-132. "Sewage Treatment Plant" or "Water Pollution Control Plant" - the arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.

-133. "Sewage Utility" or "Water Pollution Control Works" - all facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewage treatment plant, whether or not in active use.

-134. "Sewer" - a pipe or conduit for carrying sewage and other waste liquids as differentiated below:

134.1 "Combined or Combination Sewer" - a sewer which carries storm, surface, and groundwater runoff as well as sewage.

134.2 "Public Sewer" - a sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the City or other public authority.

134.3 "Sanitary Sewer" - a sewer which carries sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.

134.4 "Storm Sewer" - a sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.

-135. "Sewer Engineer" - the Chief Sewer Engineer of the City or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."

-136. "Sewerage System" - the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.

-137. "Shall" means mandatory; "may" means permissive.

-138. "Standard Methods" - the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water

pollution Control Association, Inc., as may be necessary to meet applicable federal, state and local requirements.

-2 Dischargers shall notify the Superintendent of the Water Pollution Control Plant, or his representative, immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law.

-3 Signs must be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge as to the emergency notification procedures.

Article II - Permitted Commercial and Industrial Wastes

Sec. 24-11. Prior Approval for Certain Wastes.

Review and acceptance by the Superintendent shall be obtained prior to the discharge into the public sewers by any commercial or industrial class customer of sewage whose wastes have:

-101 Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.

-102 A suspended solids content greater than 300 milligrams per liter.

-103 A phosphorus content greater than 10 milligrams per liter.

-104 Other Contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation and/or recycling of municipal or industrial wastewaters and sludges.

Sec. 24-12. Pretreatment Facilities - General

When, after making such a review, the Superintendent concludes that, before the owner discharges waste into the public sewers, the owner must modify or eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the Sewage Utility or injurious to health, then that owner shall either modify the wastes at the point of origin or shall provide and operate, at owner's expense, such preliminary treatment and processing facilities as may be deemed necessary to render owner's waste acceptable for admission into the public sewers.

Sec. 24-13. Pretreatment Facilities - Prior Approval

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted to the City for examination and approval. No construction of such facilities shall begin until the Superintendent has given written approval. Such approval shall not exempt the owner from the obligation to make

determination of quality, quantity and character.

The examination shall be made as often as the Superintendent deems it appropriate and may include the use of suitable continuously monitoring instruments, in appropriate cases. Samples shall be collected either manually or by approved mechanical devices and in such a manner as to be representative of the overall composition of the wastes.

-2 The installation, operation, and maintenance of the sampling facilities shall be the responsibility of the owner discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.

-3 Where an owner's operations have security measures in force which require proper identification and clearance before entry onto said owner's property is granted, such owner or owners shall make the necessary arrangements with their security personnel that upon showing of proper identification personnel from the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes being discharged at a given point or points or that owner or owners shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to City personnel.

Sec. 24-23. Waste Analysis Procedures and Charges.

Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods" or "Guidelines Establishing Test Procedures for Analysis of Pollutants," as set forth in the Code of Federal Regulations 40 CFR 136.

-1 Charges to Users

Alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintendent and the User as to the characteristics, strength, toxic nature or other particulars of the sample taken and analyzed by the City, either party may request that the sample in dispute be analyzed by a mutually acceptable referee whose charges shall be paid by the party requesting the analysis. Analyses made by the City at the request of the User, shall be charged to the User according to the Utility's standard work order billing procedure. All such analyses shall be binding in determining strength-of-waste surcharges and other matters dependant upon the character and concentration of wastes.

-2 Charges to Governmental Agencies

Analyses run by the Water Pollution Control Plant Laboratory for any governmental agency, or political sub-division of a City, County or State shall be billed to such agency or subdivision for direct labor and expenses according to the Utilities standard work order billing procedure. Analyses run for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analysis should have such priority.

-3 Charges Collected

All waste analysis charges collected under Section

the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit cost for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:

-1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

-2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

Article VII. Strength-of-Wastes Surcharge

Sec. 24-36. Liability for Surcharge.

Each user discharging wastes into the sewerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

-1 Biochemical oxygen demand of 300 milligrams per liter.

-2 Chemical oxygen demand of 600 milligrams per liter.

-3 Suspended solids content of 300 milligrams per liter.

-4 Phosphorus content of 10 milligrams per liter.

Sec. 24-37. Computation of Surcharge.

The surcharge shall be determined as follows:

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD); suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in Section 24-36. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefore provided, 50% of the excess pounds measured will be used to compute the equivalent BOD charge.

Sec. 24-38. Waste Exclusion Charges.



discharge into the sewer system shall be in accordance with Sec. 24-35a of Chapter 24 will be asented for consideration to the Common Council later than 90 days after June 30, 1985.

SECTION 4. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Thomas C. Henry  
COUNCILMAN

## CHAPTER 24 SEWERS AND SEWERAGE SYSTEM

### Article I. General

- Sec. 24-1. Definitions.
- Unless the context specifically indicates otherwise, the meanings of the following terms as used in this chapter and as used in the rules and regulations adopted by the Board of Public Works implementing the provisions of this Chapter are as set out below respectively:
- 101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to in I.C. 1-1-4-1.
  - 102. "Applicable Pretreatment Standards" - Any treatment limit or prohibitive standard (Federal, State, and/or Local) contained in the ordinance deemed to be the more restrictive with which in-domestic users shall be required to comply.
  - 103. "Biochemical Oxygen Demand (BOD)" - the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters, or industrial wastes under standard laboratory procedures for five days at 20 degrees centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 138 below).
  - 104. "Building (or House) Drain": that part of the horizontal piping of a building drainage system that receives the discharge from soil, waste, or other drainage pipes inside the walls of the building and conveys it to a point outside the building.
  - 105. "Building (or House) Drain Connection": the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.
  - 106. "Building (or House) Sewer" - the pipe which is connected to the Building (or House) drain at a point 3 plus or minus feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.
  - 107. "Building (or House) Sewer Connection" - a point where the building sewer is connected to the public sewer. This connection to the public sewer may be accomplished as follows:
    - 107.1 Where a tap-in connection is employed, the point of connection shall be where the end of the building sewer meets the inside face of the sewage stem and the tapping "saddle and/or joint" shall be considered part of the building sewer.
    - 107.2 Where fittings (T's or Y's) are employed the connection shall be where the end of the first pipe

- Water Pollution Control Plant.
- 139. "Strangth-of-Waste Surcharge" - the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.
  - 140. "Superintendent" - the Superintendent of the Sewage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.
  - 141. "Suspended Solids" - solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."
  - 142. "Waste Surveillance Charge" - a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating that user's waste by metering, sampling, laboratory analysis, and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-39.
  - 143. "Watercourse" - a channel in which a flow of water occurs either continuously or intermittently.
- Sec. 24-2. Rules and Regulations - Board of Works Authority.
- The Board of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions and requirements of this Chapter, make and enforce appropriate rules and regulations for the safe, economical and efficient management and operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chapter.
- Sec. 24-3. Requirements for Connection to Public Sewers.
- 1 No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor stop the City from charging and collecting such costs at any subsequent time.
  - 2 Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other evidence of obligation acceptable to the Utility.
  - 3 All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.

- such adaptations prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarantee that these facilities and/or equipment will function in the manner described by their constructor or manufacturer, nor shall it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.
- Sec. 24-14 Pretreatment Facilities - Operation
- Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in satisfactory and effective operating condition at the owner's expense and shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shall be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry affected by a federal categorical standard shall comply with the reporting requirements of 40 CFR 403.12.
- Sec. 24-15 Reserved
- Article III - Prohibited Industrial and Commercial Discharges
- Sec. 24-16. Prohibitions and Limitations
- Except as hereinafter provided, no owner shall discharge or cause or permit to be discharged into the public sewer any of the following described substances, wastes, or waters:
- 101 Any liquid or vapor having a temperature greater than 140 degrees Fahrenheit.
  - 102 Any waters or wastes containing more than 100 milligrams per liter of grease, oils, fats, or waxes.
  - 103 Any gasoline, benzene, naphtha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.
  - 104 Any noxious or melodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance or repair.
  - 105 Any garbage that has not been properly pretreated and reduced per Sec. 24-1-116.
  - 106 Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, paunch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.
  - 107 Any waters or wastes having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.
  - 108 Any waters or wastes containing toxic substances, as defined under Section 307 (b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pass through the Plant into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent

- the operating costs of the Water Pollution Control Plant and a quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.
- Sec. 24-24. Use of Representative Analysis.
- Until an adequate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the City, shall continue at the City's pleasure or until an adequate analysis has been made.
- Article V. Service Charges Based on Water Usage
- Sec. 24-25. Water Obtained from the City's Water Utility.
- The charges made for sewerage service rendered to each lot, parcel of real estate or building having any connection with the City's sewerage system or otherwise discharging sewage into the system, either directly or indirectly, shall be based upon the quantity of water presumed to enter the public sewers after being used in or on the property, as the quantity is measured by the water meter or meters there in use by the City's Water Utility, except as herein otherwise provided.
- Sec. 24-26. Water Obtained from Other Sources.
- Where the property obtains any part or all of the water used from sources other than the City's Water Utility, the owner or the tenant may be required by the City to install and maintain at his own expense a meter or meters acceptable to the City for the quantity of water obtained from these other sources, or the City may determine the quantity of such water by whatever means and methods it may find relevant and practicable.
- Sec. 24-27. Exempt Water - General.
- Where a significant portion of the metered water does not and cannot enter the sewerage system, either directly or indirectly, the person having charge of the property may request permission from the City to install at his own expense either an approved meter or meters to determine the quantity of water that cannot enter the sewerage system or an approved sewage-measuring device or devices to determine the volume of sewage that actually enters the sewerage system; when appropriate, the City reserves the right to determine by whatever other means and methods it may find practicable the percentage of the property's metered water that enters the sewerage system. In any case the service charge shall be based on the quantity of water that can or actually does enter the public sewers but in no case shall it be less than the minimum charge for the class of user served.
- Sec. 24-28. Metering of Sewage.
- The City may require a person to install and maintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if these volumes cannot otherwise be determined from the metered water consumption

- requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.
- Sec. 24-39. Revision of Rates of Surcharge.
- Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.
- Article VIII. Billing of Service Charges
- Sec. 24-40. Billing Period.
- 1 Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.
  - 2 Billings for sewerage service shall be rendered with and shall be due and payable on the same date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.
- Sec. 24-41. Liability for Payment.
- 1 Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing to and assumption of responsibility by any person charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including delinquencies, recording fees, attorney's fees, interest and court costs, if any.
  - 2 The owner of the real estate shall have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.
  - 3 Nothing herein contained shall permit the owner or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment finances, or social security number of the person being billed.
- Sec. 24-42. First Billings.
- The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. The first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Water Utility.
- Sec. 24-43. City Subject to Charges.
- For sewerage service rendered to the City, or any department, structure or property, thereof, the City shall be subject to the same rates and charges



ing shall be considered a part of the building sewer.

-108. "Bulk Waste" - any containerized solid, liquid or gaseous substance discarded or to be discarded as worthless, defective, or of no use to the person discarding said substance.

-109. "Chemical Oxygen Demand (COD)" - a measure of the oxygen equivalent to that portion of organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in standard Methods.

-110. "City" - the City of Fort Wayne, Indiana.

-111. "Classification of Users" -

-111.1 "Domestic Class User" - a user discharging only normal domestic sewage, as herein defined, to the system.

-111.2 "Commercial Class User" - a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control.

-111.3 "Industrial Class User" - a user falling within Divisions A, B, D, E, or I of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget, as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce a primarily segregated domestic waste or waste from sanitary conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of waste or toxics in excess of limits described hereinafter.

-112. "Dwelling" - a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.

-113. "Effluent" - the water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.

-114. "Emergency" - an unforeseen circumstance, combination of circumstances that may cause an imminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.

-115. "Garbage" - any solid wastes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.

-116. "Ground Garbage" - garbage that is added to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half (1/2) inch in any dimension.

-117. "Industrial Wastes" - any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation process from the development, recovery or

tinence charges or of interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.

-5 Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewerage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

-6 No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.

-7 The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains, or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.

-8 A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the sewerage works have adequate capacity to transmit and treat the new waste loadings.

-9 No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection, and may require the owner or occupant to pay or reimburse the Utility for its costs and expense in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.

Sec. 24-4. Extensions of Sewers Outside Corporate Limits.

The installation, construction, or extension of sanitary sewers by private developers or by the City outside the corporate limits of the City and the connection of said sanitary sewers into the City's sewerage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution ratifying an agreement and/or contract for such construction

Section 405 of said Act.

-109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I-131 and P-32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.

-110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.

-111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to handle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.

-112 Any waters or wastes containing incompatible pollutants as herein described.

-113 Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations set forth by any federal, state, interstate or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.

-114 Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.

-115 The City reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

Sec. 24-17 Responsibility for Obstructing or Damaging Sewers

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

Article IV - Control of Admissible Industrial and Commercial Wastes

Sac. 24-18. Submission of Data on Industrial Waste.

-1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Questionnaire, the form for which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with utility

installation and/or service, once installed, shall be removed without the City's approval.

Sec. 24-29. Reserved

Article VI. User Charges

Sec. 24-30. User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

Class of User, Domestic; Manufacturing, Treatment 20.52; 20.52. Conveyance, Collection, Billing 19.96; 13.01. Capital 12.84; 10.33. Pretreatment Administration -0; 2.50. Total User Charge 53.32; 46.36.

Sec. 24-31. User Minimum Charges.

In the event the monthly sewerage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size	Minimum Monthly Charge
3/8 - 3/4"	\$ 2.66
1 - 1 1/2"	9.40
2"	19.17
3"	38.52
4"	64.04
6" or larger	177.87

Sec. 24-32. User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer, Monthly Flat Charge

(1), In-City, Out-City. Domestic User - Single Family Dwelling, \$5.33; \$6.39. Domestic User - Multi Family Dwelling, To be estimated by City. Commercial and Industrial User, To be estimated by City.

(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)	
Treatment	20.52
Capital Charge	12.88

charges established in harmony herewith.

Sec. 24-44. Consolidation of Accounts.

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

Sec. 24-45. Notice of Capital Surcharge.

The City Clerk shall certify a copy of Special Ordinance No. S-233-81, enacted October 28, 1981 and all amendments thereto, heretofore or hereafter adopted, and shall record such certified copy in the Office of the Recorder of Allen County, Indiana to provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the City Utility Sewerage System, in those areas of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.

Article IX. Delinquent Accounts

Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent and may be collected, with any applied penalty recording fees, service charges, attorney's fees interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Water Service.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24-49. List of Delinquent Fees and Penalties. Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charge may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.



junction shall be where the end of the first pipe

through 00 0 20 07 10 06 1005 00000000 against real property.

set by federal, interstate, state or other competent

sewerage system if these volumes cannot otherwise be determined from the metered water consumption.

SANDRA E. KENNEDY, CITY CLERK

department, structure or property, thereof, the City shall be subject to the same rates and charges.

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To

NEW-SENTINEL

P.O. BOX 100

FORT WAYNE, INDIANA

Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		.....
Head	number of lines	1
Body	number of lines	1304
Tail	number of lines	1
Total number of lines in notice		1306

COMPUTION OF CHARGES

1306	lines,	1	columns wide equals	1306	equivalent lines at	.450¢	\$ 587.70
		cents per line					
Additional charge for notices containing rule or tahular work (50 per cent of above amount)							.....
Charge for extra proofs of publication (50 cents for each proof in excess of two)					3 extra		1.50
							.....
TOTAL AMOUNT OF CLAIM							\$ 589.20
							.....

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type	6	point
Number of insertions	2	Size of quad upon which type is cast	6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date

Aug. 11

19

84

Title

CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:  
8/4 - 8/11/84

Subscribed and sworn to me before this 11th day of August 19 84

My commission expires March 6, 1986



## LEGAL NOTICE

Notice is hereby given that on the 24th day of July, 1984, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-84-06-22 General Ordinance No. G-17-84 to-wit:

BILL NO. G-84-06-22

GENERAL ORDINANCE NO. G-17-84

AN ORDINANCE REPEALING CHAPTER 24 OF THE FORT WAYNE MUNICIPAL CODE AND SUBSTITUTING AND ENACTING THEREFOR A NEW CHAPTER 24 ENTITLED "SEWERS AND SEWERAGE SYSTEM" FOR THE PURPOSE OF ADJUSTING RATES AND OTHER PROVISIONS SET FORTH THEREIN.

WHEREAS, the Common Council now finds that the fees charged for services rendered by the Sewage Works owned and operated by the City of Fort Wayne are not sufficient to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and sufficient service and that said fees are not sufficient to pay all expenses to operate and maintain the Works; to pay interest charges on bonds or other obligations; to provide the sinking fund required for revenue bonds heretofore issued; to provide adequate money to be used as working capital; to provide adequate money for improving and replacing the Works; and to provide the amount of money sufficient to compensate the City for the property taxes that would be paid on the Sewage Works if the Sewage Works were privately owned;

WHEREAS, certain terms and conditions incident to the rendering of efficient and non-discriminatory service to users of the Sewage Works should be amended and revised to reflect current operating conditions; and

WHEREAS, the City of Fort Wayne has been mandated by state and federal regulatory authorities to adopt and enforce pretreatment standards and requirements for certain of its contributing industrial users thereby causing in future periods a reduction in the strength and toxicity of effluent discharged to City sewers by said industrial users;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 24 of the Municipal Code of the City of Fort Wayne, Indiana, as presently enacted, is repealed in its entirety and substituted therefor shall be an amended and revised Chapter 24 Ordinance.

SECTION 2. That this Ordinance be adopted after a public hearing has been held pursuant to I.C. 36-9-23-26 and duly published notice thereof pursuant to I.C. 5-3-1.

SECTION 3. That in addition to the "Annual Review of Service Charges" prescribed in Sec. 24-35 of Chapter 24 that the Sewage Works undertake a study of strength of waste discharges of its contributing industrial users for a period of one (1) year establishing pretreatment credits which may be applicable to said industrial users. A schedule of pretreatment rate credits, if deemed to be justified in accordance with Sec. 24-35a of Chapter 24 will be presented for consideration to the Common Council no later than 90 days after June 30, 1985.

SECTION 4. That this Ordinance shall be in full force and effect upon passage and approval by the Mayor.

Thomas C. Henry  
COUNCILMAN

## CHAPTER 24 SEWERS AND SEWERAGE SYSTEM

### Article I. General

Sec. 24-1. Definitions. Unless the context specifically indicates otherwise, the meanings of the following terms as used in this Chapter and as used in the rules and regulations adopted by the Board of Public Works implementing the provisions of this Chapter are as set out below respectively:

-101. "Act": the Federal Water Pollution Control Act, also known as "The Clean Water Act," as amended, 33 U.S.C. 466, as referred to et I.C. 13-1-4-1.

-102. "Applicable Pretreatment Standards": Any pretreatment limit or prohibitive standard (Federal, State, and/or local) contained in the ordinance and considered to be the more restrictive with which non-domestic users shall be required to comply.

-103. "Biochemical Oxygen Demand (BOD)": the quantity of dissolved oxygen, in milligrams per liter, required during the stabilization of the decomposable organic matter by aerobic biochemical action of sewage, sewage effluent, polluted waters, or industrial wastes under standard laboratory procedures for five days at 20 degrees centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" (see paragraph 138 below).

-104. "Building (or House) Drain": that part of the lowest horizontal piping of a building drainage system that receives the discharge from soil, waste, or other drainage pipes inside the walls of the building and conveys it to a point outside the foundation wall of the building.

-105. "Building (or House) Drain Connection": the point where the Building (or House) sewer is connected to the building drain at a location approximately three (3) feet outside the foundation wall of the building.

-106. "Building (or House) Sewer": the pipe which is connected to the Building (or House) drain at a point 3 plus or minus feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.

-107. "Building (or House) Sewer Connection": the point where the building sewer is connected to the

-128. "Replacement Cost" - that cost, stated in current monetary values, as an operating cost which represents and measures the day-to-day consumption and attrition of physical assets in rendering service to users.

-129. "Sanitary Sewage" - sewage discharged from the sanitary conveniences of dwellings, apartment houses, condominiums, motels, hotels, or institutions and free from storm waters, surface water and industrial wastes.

-130. "Service Charge" - the basic assessment levied on all users of the public sewerage system for wastes which do not exceed in strength the concentration values above which a strength-of-waste surcharge will be made.

-131. "Sewage" - the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface, and storm waters as may be present.

-132. "Sewage Treatment Plant" or "Water Pollution Control Plant" - the arrangement of devices, structures and equipment used for treating and disposing of sewage and sludge.

-133. "Sewage Utility" or "Water Pollution Control Works" - all facilities and systems for collecting, transporting, pumping, treating, disposing of sewage and sludge, including the sewerage collection system and the sewage treatment plant, whether or not in active use.

-134. "Sewer" - a pipe or conduit for carrying sewage and other waste liquids as differentiated below:

134.1. "Combined or Combination Sewer" - a sewer which carries storm, surface, and groundwater runoff as well as sewage.

134.2. "Public Sewer" - a sewer to the use of which all owners of abutting property have equal rights and is controlled and maintained by the City or other public authority.

134.3. "Sanitary Sewer" - a sewer which carries sanitary sewage and to which storm, surface, groundwaters and unpolluted industrial waste waters are not intentionally admitted.

134.4. "Storm Sewer" - a sewer which carries storm, surface and groundwater drainage but excludes sanitary sewage.

-135. "Sewer Engineer" - the Chief Sewer Engineer of the City or his duly authorized representative; the term is synonymous with the term "Water Pollution Control Engineer."

-136. "Sewerage System" - the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the Sewage Treatment Plant.

-137. "Shall" means mandatory; "may" means permissible.

-138. "Standard Methods" - the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Water Works Association and the Water Pollution Control Federation, a copy of which is on file in the Office of the Superintendent of the Sewerage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.

-139. "Strength-of-Waste Surcharge" - the additional charges for sewage service collected from users discharging sewage into the system having a strength measurement in excess of the limits imposed by the provisions of this Chapter.

-140. "Superintendent" - the Superintendent of the Sewerage Treatment Plant (Water Pollution Control Plant) of the City, or his duly authorized representative.

-141. "Suspended Solids" - solids which either float on the surface of or are in suspension in water, sewage or other liquid and which are removable by laboratory filtration. Their concentration is expressed in milligrams per liter. Quantitative determinations are made in accordance with procedures set forth in "Standard Methods."

-142. "Waste Surveillance Charge" - a monthly charge collected from users, qualifying as industrial or commercial class users, to defray the cost of evaluating the user's waste by metering, sampling, laboratory analysis, and/or other methods deemed necessary. Said charges are set forth in Article VII and are subject to review annually as provided in Section 24-39.

-143. "Watercourse" - a channel in which a flow of water occurs either continuously or intermittently.

Sec. 24-2. Rules and Regulations - Board of Works Authority.

The Board of Public Works of the City shall, in accordance with the Statutes of the State of Indiana, and subject to the provisions and requirements of this Chapter, make and enforce appropriate rules and management and operation of the City's Sewerage system; for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewerage service; and for the implementation of the provisions of this chapter.

Sec. 24-3. Requirements for Connection to Public Sewers.

-1 No owner or occupant of any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any City from charging and collecting such costs at any subsequent time.

-2 Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works from time to time, permit an owner or occupant to tap or drain into a public sewer

non-compliance continues shall constitute a separate offense.

Sec. 24-8. Damage to City Property Prohibited. It shall be unlawful for any unauthorized person, firm or corporation to maliciously, willfully, or negligently break, damage, destroy, remove, deface, or tamper with any structure, appurtenance, or equipment which is part of the City sewage system or belongs to the Water Pollution Control Plant of the City.

Sec. 24-9 Dilution

It shall be unlawful for any person, firm, or corporation to increase the use of potable water, process water in any way, or mix separate wastestreams for the purpose of diluting or discharging as a partial or complete substitute for adequate treatment to achieve compliance with applicable standards.

Sec. 24-10 Accidental Discharges

-1 Each discharger must provide protection from accidental discharge of prohibited or regulate materials or substances to sewers of the City of Fort Wayne. Where necessary, procedures and facilities to prevent the accidental discharge of prohibited materials must be provided and maintained at the discharger's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and approved by the City before construction of the facility. Review and approval of plans and operating procedures by the City shall not relieve the discharger from the responsibility to modify its facility as necessary to meet applicable federal, state and local requirements.

Dischargers shall notify the Superintendent of the Water Pollution Control Plant, or his representative immediately when a "slug load" or accidental discharge occurs. A written report shall be submitted within five (5) days of incident. The notification must include the location of the discharge, date and time of occurrence, type of waste, concentration and volume, and corrective actions taken. Any industrial user who discharges a "slug load" of prohibited materials will be liable for any expense, including loss or damage to the Water Pollution Control Utility sewerage system in addition to the amount of any fines imposed upon the City under state or federal law.

-3 Signs must be permanently posted in conspicuous places on the discharger's premises, advising employees whom to call in the event of an accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge as to the emergency notification procedures.

Article II - Permitted Commercial and Industrial Wastes

Sec. 24-11. Prior Approval for Certain Wastes. Review and acceptance by the Superintendent shall be obtained prior to the discharge into the public sewers by any commercial or industrial class customer of sewage whose wastes have:

-101. Either a BOD content greater than 300 milligrams per liter or a COD greater than 600 milligrams per liter.

-102. A suspended solids content greater than 300 milligrams per liter.

-103. A phosphorus content greater than 10 milligrams per liter.

-104. Other Contaminants which from either nature or quantity will: (a) interfere with the operation of any portion of the Sewage Utility; (b) pass through the treatment works or otherwise be incompatible with such works; (c) prevent the reclamation end/or recycling of municipal or industrial wastewaters and sludges.

Sec. 24-12. Pretreatment Facilities - General. When, after making such a review, the Superintendent concludes that, before the owner discharges waste into the public sewers, the owner must modify or eliminate those constituents which would be harmful to the structures, processes, or operations of any portion of the Sewage Utility or injurious to health, then that owner shall either modify the wastes at the point of origin or shall provide and operate, at owner's expense, such preliminary treatment and processing facilities as may be deemed necessary to render owner's waste acceptable for admission into the public sewers.

Sec. 24-13. Pretreatment Facilities - Prior Approval

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted to the City for examination and approval. No construction of such facilities shall begin until the Superintendent has given written approval. Such approval shall not exempt the person from the obligation to make further reasonable adaptations of such facilities when such adaptations prove necessary to secure the results of acceptable waste concentrations desired. The approval of proposed facilities and/or equipment by the City does not in any way guarantee that these facilities end/or equipment will function in the manner described by their constructor or manufacturer, nor shall it relieve an owner, firm, or corporation of the responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

Sec. 24-14. Pretreatment Facilities - Operation. Where such preliminary treatment facilities are provided, they shall be maintained, continuously, in satisfactory and effective operating condition at the owner's expense and shall be subject to periodic inspection by the City. The owner shall maintain suitable operating records which shall be open to inspection by the City, and shall submit to the Superintendent such monthly summary reports of the character of the influent and effluent as the Superintendent may require. Any industry effected by a federal categorical standard shall comply with the reporting requirements of 40 CFR 403.12.

Sec. 24-15 Reserved

Article III - Prohibited Industrial and Commercial Discharges

Sec. 24-16. Prohibitions and Limitations



connection shall be where the end of the first pipe meets the end of the fitting and the said T or Y fitting shall be considered a part of the building sewer.

-108. "Bulk Waste" - any containerized solid, liquid or gaseous substance discarded or to be discarded as worthless, defective, or of no use to the person discarding said substance.

-109. "Chemical Oxygen Demand (COD)" - a measure of the oxygen equivalent to that portion of the organic matter in a sample of sewage, sewage effluent, polluted waters, or industrial wastes that is susceptible to oxidation by a strong chemical oxidant. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."

-110. "City" - the City of Fort Wayne, Indiana.

-111. "Classification of Users"

111.1 "Domestic Class User" - a user discharging only normal domestic sewage, as herein defined, into the system.

111.2 "Commercial Class User" - a user falling within Division G of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control.

111.3 "Industrial Class User" - a user falling within Divisions A, B, D, E, or I of the "Standard Industrial Classification Manual," 1972, United States Office of Management and Budget, as currently amended and supplemented. A copy is on file in the Office of the Supervisor of Industrial Waste Control. A user described in the divisions listed herein may be excluded if it is determined, by the City, that such user will introduce primarily segregated domestic waste or waste from sanitary conveniences. Users not listed therein may be included in this class of customer because of the production of excess strength of waste or toxics in excess of limits described hereinafter.

112. "Dwelling" - a building, or a portion thereof, under one roof used primarily as the abode of one or more persons, but not including hotels, motels, lodging or boarding houses or tourist homes.

-113. "Effluent" - the water, together with any wastes that may be present, flowing out of a drain, sewer receptacle or outlet.

-114. "Emergency" - an unforeseen circumstance or combination of circumstances that may cause an eminent endangerment to the health and/or welfare of persons, the environment, or which may interfere with the operation of the sewer collection system or the Water Pollution Control Plant.

-115. "Garbage" - any solid wastes from the preparation, cooking, or dispensing of food or from the handling, storage or sale of produce.

-116. "Ground Garbage" - garbage that is shredded to such a degree that all particles will be carried freely in suspension under the conditions normally prevailing in public sewers, with no particle being greater than one-half (1/2) inch in any dimension.

-117. "Industrial Wastes" - any solid, liquid or gaseous substance, or form of energy discharged, permitted to flow or escape from an industrial, manufacturing, commercial or business operation or process from the development, recovery or processing of any natural resource carried on by any person.

-118. "Influent" - the water, together with any wastes that may be present, flowing into a drain, sewer, receptacle or outlet.

-119. "Major Industrial User" - a user of the City-owned treatment works that: (a) has a flow of 50,000 gallons of water or more per average work day; (b) has a flow of waste greater than 5% of the flow carried by any part of the City system receiving the waste; (c) has in its waste, a toxic pollutant in amounts as defined in standards issued under Section 307 (e) of the Federal Act; or (d) is found by the Indiana Stream Pollution Control Board, in connection with the issuance of the NPDES Permit to the City-owned treatment works receiving the waste, to have significant impact whether singularly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

-120. "Normal Domestic Sewage" - sewage having an average daily suspended solids concentration of not more than 300 milligrams per liter, an average daily BOD concentration of not more than 300 milligrams per liter, and an average daily phosphorus concentration of not more than 10 milligrams per liter.

-121. "NPDES Permit" - the National Pollutant Discharge Elimination System Permit issued by the Indiana Stream Pollution Control Board for discharges of waste waters to navigable waters of the United States pursuant to Section 402 of 33 U.S.C. 466.

-122. "Operation and Maintenance Costs" - all costs direct and indirect, other than debt services including replacement costs as defined in paragraph 128, necessary to insure adequate wastewater treatment on a continuing basis conforming with federal, state or local requirements, and to insure long-term facilities management.

-123. "Outlet" - any outlet, natural or constructed, which is the point of final discharge of sewage or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.

-124. "Person" - any individual, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.

-125. "pH" - the logarithm (to the base of 10) of the reciprocal of the hydrogen ion concentration of a solution expressed in gram-atoms per liter of solution.

-126. "Pollutants" -

126.1 "Compatible Pollutants" - waste contain-

-14 Installments of peller obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Articles VIII and IX of this Ordinance.

-5 Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six-inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

-6 No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.

-7 The Board of Public Works shall have the authority to require an owner of real property to disconnect any downspouts, yard drains, or other drains which carry the runoff of natural precipitation from a building sewer which drains into a sanitary sewer. Property owners shall have thirty (30) days after notice thereof to comply with any such requirement.

-8 A new connection may be made to a City sewer or sewers connected to the City system only after there has been adequate assurance by the City that the downstream facilities of the sewage works have adequate capacity to transmit and treat the new waste loadings.

-9 No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless end until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection, and may require the owner or occupant to pay or reimburse the Utility for its costs and expense in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Article IX of this Chapter.

Sec. 24-4. Extensions of Sewers Outside Corporate Limits.

The installation, construction, or extension of sanitary sewers by private developers or by the City outside the corporate limits of the City and the connection of said sanitary sewers into the City's sewerage system from, by, to, or for properties located outside such limits is prohibited, except with the approval of the Board of Public Works by duly enacted resolution, provided that a resolution relieving an agreement and/or contract for such construction and connection, shall be deemed to constitute such approval.

Sec. 24-5. Connections to Sewerage System by Certain Out-of-City Properties.

Notwithstanding the provisions of Sec. 24-4, the Board of Public Works shall have the authority to permit a property located outside the corporate limits of the City to connect to an existing sanitary sewer which is part of the City's sewerage system, when the property abuts, adjoins, or is immediately contiguous to the street, alley, or easement in which such sewer is located and provided the property owner or occupant has complied with the requirements prescribed by Sec. 24-3 of this Chapter.

Sec. 24-6. Enforcement

The provisions of this Chapter shall be enforced by the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes. Whenever said Superintendent or any such deputy shall deem it appropriate to charge a landowner with a violation (s) of this Chapter, he shall issue to such landowner a Notice of Violation, and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1).

Sec. 24-7. Penalty for Violations

Any landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class B infraction and upon conviction thereof be subject to a fine of up to \$1,000.00 per infraction as provided by Indiana Code

-103 Any gasoline, benzene, naphtha, fuel oil, mineral oil or any other flammable or explosive solid, liquid or gas.

-104 Any noxious or malodorous gas or substance which either alone or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry into the sewers for their maintenance or repair.

-105 Any garbage that has not been properly pretreated and reduced per Sec. 24-1-116.

-106 Any ashes, cinders, sand, mud, straw, shavings, wood, metal, glass, rags, feathers, tar, plastics, punch manure, butchers' offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or the Sewage Treatment Plant.

-107 Any waters or wastes having a pH less than 6.0 or greater than 10.0, or having any other corrosive property capable of causing damage or posing hazards to the structures, equipment, or personnel of the Sewage Utility.

-108 Any waters or wastes containing toxic substances, as defined under Section 307 (b) and (c) of the Clean Water Act in sufficient quantity to interfere with the biological process of the Sewage Treatment Plant or that will pass through the Plant into the receiving stream in amounts exceeding the standards set by federal, interstate, state or other competent authority having jurisdiction, or will prevent the disposal of the sludges by the Plant in accordance with Section 405 of said Act.

-109 Any toxic radioactive isotopes, without a special permit. The radioactive isotopes of I 131 and P 32 used in hospitals are not prohibited, if they are properly diluted before being discharged into the sewerage system, as further defined in the General Rules and Regulations.

-110 Any waters or wastes that for a duration of 15 minutes or more have a concentration more than 5 times the average concentration of BOD or suspended solids of the user's sewage discharged during a 24 hour period of normal operation.

-111 Any waters or wastes containing suspended solids of such character and quantity that unusual provisions, attention and expense would be required to handle such materials at the Sewage Treatment Plant, its pumping stations, or other facilities.

-112 Any waters or wastes containing incompatible pollutants as herein described.

-113 Any waters or wastes containing any toxic substances in quantities that are sufficient to interfere with the biochemical processes of the Sewage Treatment Plant, that will pass through the plant into the receiving waters, or accumulate in the sludges in an amount exceeding the limitations, set forth by any federal, state, interstate, or local authority, which ever is more stringent. Specifically excluded are any waters or wastes containing toxic ions, compounds, or substances in concentrations or amounts exceeding the limitations set forth by the Board of Public Works and published in the General Rules and Regulations.

-114 Any bulk waste, either industrial or domestic, without prior written approval of the Superintendent.

-115 The City reserves the right to refuse, deny or revoke the connection of any user in the event the sewerage service requirements of the user, in the judgment of the Superintendent could or would impose an excessive burden on the utility or in the event the user is or has been in repeated violation of this Ordinance. The City further reserves the right in the event of any emergency, to restrict the allowable discharge received from any or all large users of the sewerage system during the time of such emergency.

Sec. 24-17 Responsibility for Obstructing or Damaging Sewers

If a public sewer becomes obstructed or damaged because any of the aforementioned substances were improperly discharged, the person or persons responsible for such discharges shall reimburse the City for the expenses incurred by the City for cleaning out, repairing, rebuilding the sewer or for any litigations or damage claims resulting therefrom, including legal fees and court costs.

Article IV - Control of Admissible Industrial and Commercial Wastes

Sec. 24-18. Submission of Data on Industrial Waste.

-1 Any owner who discharges industrial waste into the City's sewerage system either directly or indirectly, shall forthwith fill out and file, with the Superintendent, an Industrial Waste Questionnaire, the form for which will be furnished by the City in which he shall set out the quantity and characteristics of the wastes discharged into the City's sewerage system. Any owner desiring to establish a new connection to the public sewer or to establish a new account with utility for the purpose of discharging industrial or commercial waste shall first fill out and file with the Superintendent such a questionnaire which shall set out the actual or





-2 Charges to Governmental Agencies  
Analyses run by the Water Pollution Control Plant Laboratory for any governmental agency, or political sub-division of a City, County or State shall be billed to such agency or subdivision for direct labor and expenses according to the Utilities standard work order billing procedure. Analyses run for other agencies shall not have priority over the regular Water Pollution Control Plant analyses unless in the judgment of the Superintendent the urgency of the analysis should have such priority.

-3 Wastes Collected  
All waste analysis charges collected under Section 24-23-1 and -2 above shall be recorded as credits to the operating costs of the Water Pollution Control Plant and quarterly accounting thereof shall be forwarded to the Superintendent. All such charges are to be used to defray the operations and maintenance expenses incurred by the Water Pollution Control Plant in performing said analyses.

Sec. 24-24. Use of Representative Analysis.  
Until an adequate analysis of a representative sample of user's wastes has been obtained, the City may, for the purpose of this Chapter, make a determination of the character and concentration of his wastes by using data based on analyses of similar processes or data for his type of business that are available from the United States Environmental Protection Agency or from industry-recognized authoritative sources. This method, if selected by the City, shall continue at the City's pleasure or until an adequate analysis has been made.

Sec. 24-19. Confidential Information.  
Information and data furnished to the City by a discharger shall be made available to the public or other governmental agency without restriction unless a discharger specifically requests and is able to demonstrate as per 40 CFR 2.203 and 330 IAC 1-5.8 that the release of such information would divulge information, methods of production entitled to protection as trade secrets, or proprietary information of the discharger. All requests, by the discharger, for confidentiality of information shall be made in accordance to and governed by the provisions of 330 IAC 2.5 and 40 CFR 2.

Sec. 24-20. Control Manholes.  
Any owner who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City. The Superintendent may also require the owner to install and maintain in any such manhole, at the owner's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

Sec. 24-21. Grease and Sand Traps  
Whenever the Superintendent determines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment Plant from grease, oil, sand, or similar substances entering in the user's sewerage and so notifies the user, such traps shall be promptly installed by the user, at owner's expense, and shall be so installed by owner that none of such substances can be carried over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

Sec. 24-22. Waste Sampling.  
1 Any industrial waste discharged into the public sewers shall be subject to periodic inspections and the determination of quality, quantity and character. An examination shall be made as often as the Superintendent deems it appropriate and may include the use of suitable continuously monitoring instruments. In appropriate cases, samples shall be collected either manually or by approved mechanical devices and in such a manner as to be representative of the overall composition of the wastes.

2 The installation, operation, and maintenance of sampling facilities shall be the responsibility of the owner discharging the wastes and shall be subject to the approval of the Superintendent. Access to the sampling facilities shall be granted, at all times, to the Superintendent.

3 Where an owner's operations have security features in force which require proper identification clearance before entry onto said owner's property, the owner or owners shall make the necessary arrangements with their security personnel upon showing of proper identification personnel in the City shall be permitted to enter, without delay, for the purpose of observing or monitoring of wastes discharged at a given point or points that owner or owners shall install suitable control manholes outside of the security area or areas, which at all times will be immediately available to personnel.

Sec. 24-23. Waste Analysis Procedures and Fees.  
Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods" or "Guidelines Establishing Test Procedures for Analysis of Pollutants," as set forth in the Code of Federal Regulations 40 CFR 136.

Charges to Users  
Standard methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Superintendent and the User. In the event of a dispute between the Superintendent and the User as to the characteristics, strength, toxic nature or particulars of the sample taken and analyzed by the City, either party may request that the sample in dispute be analyzed by a mutually acceptable referee. The charges shall be paid by the party requesting analysis. Analyses made by the City at the request of the User, shall be charged to the User according to the Utility's standard work order billing procedure. All such analyses shall be binding in determining strength-of-waste surcharges and other charges dependent upon the character and concentration of wastes.

Sec. 24-24. Metering of Sewage.  
The City may require a person to install and maintain at his own expense an approved device to measure directly the volumes of wastes discharged to the sewerage system if these volumes cannot otherwise be determined from the metered-water consumption records. The City shall inspect and approve such installation and no such service, once installed, shall be removed without the City's approval.

Sec. 24-25. Reserved

Article VI. User Charges

Sec. 24-30. User Volume Charges.  
The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)  
Class of User, Domestic; Manufacturing, Treatment 20.52; 20.52. Conveyance, Collection, Billing 19.96; 13.01. Capital 12.84; 10.33. Pretreatment Administration -0-; 2.50. Total User Charge 53.32; 46.36.

Sec. 24-31. User Minimum Charges.  
In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth hereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size	Minimum Monthly Charge
% - 3/4"	\$ 2.68
1 - 1 1/2"	9.40
2"	19.17
3"	38.52
4"	64.04
6" or larger	177.87

Sec. 24-32. User Flat Charges.  
In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:  
Classification of Customer, Monthly Flat Charge  
(1), In-City, Out-City, Domestic User - Single Family Dwelling, \$5.33; \$6.39. Domestic User - Multi Family Dwelling, To be estimated by City. Commercial and Industrial User, To be estimated by City.  
(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.  
In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:  
-1 Volume Charge (cents per 100 cu. ft.)  
Treatment 20.52  
Capital Charge 12.88  
-2 Variable Charge (cents per 100 cu. ft.)  
A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge  
In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$60 and a monthly surveillance charge of \$90.00.  
-4 Excess Strength of Wastes Surcharge  
In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:  
Suspended Solids - (SS) Cents Per Pound 4.304  
Biochemical Oxygen Demand - (BOD) 4.300  
Phosphorus - (P) 41.193  
-5 Capital Surcharge  
In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.  
-6 Other Provisions  
In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conformance with the City's obligations under Sec. 204 (b) (1) Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2 and 35-935-13.  
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Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.  
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Sec. 24-35. Annual Review of Service Charges.  
Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit charges for flow, removal of BOD, suspended solids, and phosphorus per year, with the unit charges currently in effect from which the board shall determine whether the current service charges and surcharges are adequate or should be changed. The methodology utilized in developing this cost comparison shall include:  
-1 A system including the distribution of the cost of operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, and delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.  
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Sec. 24-32. User Flat Charges.  
In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:  
Classification of Customer, Monthly Flat Charge  
(1), In-City, Out-City, Domestic User - Single Family Dwelling, \$5.33; \$6.39. Domestic User - Multi Family Dwelling, To be estimated by City. Commercial and Industrial User, To be estimated by City.  
(1) Monthly flat charges for multi-family dwellings shall be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.  
In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for the following unit charges:  
-1 Volume Charge (cents per 100 cu. ft.)  
Treatment 20.52  
Capital Charge 12.88  
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A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge  
In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$60 and a monthly surveillance charge of \$90.00.  
-4 Excess Strength of Wastes Surcharge  
In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:  
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A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.



operation and maintenance of the treatment works of the WPC Utility to each user class in proportion to such user's contribution to the total waste loading of the treatment works. Factors such as strength, volume, end delivery flow characteristics shall be considered and included as the basis for the user's contribution to insure a proportional distribution of operation and maintenance and replacement costs to each user class.

-2 Total annual service charges and surcharges collected from each individual user class shall be deemed sufficient if said charges have generated during the prior operating period sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility Operation attributable to such class.

Article VII. Strength-of-Wastes Surcharge

Sec. 24-36. Liability for Surcharge.

Each user discharging wastes into the sewerage system shall be subject to a strength-of-wastes surcharge, in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than:

-1 Biochemical oxygen demand of 300 milligrams per liter.

-2 Chemical oxygen demand of 600 milligrams per liter.

-3 Suspended solids content of 300 milligrams per liter.

-4 Phosphorus content of 10 milligrams per liter.

Sec. 24-37. Computation of Surcharge.

The surcharge shall be determined as follows:

The excess pounds of BOD or COD (whichever results in the higher charge) suspended solids, and phosphorus will each be computed by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between (a) the concentrations measured in milligrams per liter of the BOD (or COD), suspended solids, and phosphorus respectively in the user's sewage and (b) the allowed concentrations set out in Section 24-36. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in Section 24-33-4. In the event COD measurement is used, as hereinbefore provided, 50 % of the excess pounds measured will be used to compute the equivalent BOD charge.

Sec. 24-38. Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.

Sec. 24-39. Revision of Rates of Surcharge.

Prior to May 1 of each year, the General Auditor of the City Utilities and an independent certified public accountant employed for that purpose shall submit to the Board of Public Works a comparison of the calculated unit costs for removing BOD, suspended solids, and phosphorus from the Sewage Treatment Plant influent during the previous calendar year with the unit charges currently in effect in order that the Board may determine whether the current rates of surcharge are adequate or should be changed and request legislative enactment of said changes by the Common Council.

Article VIII. Billing of Service Charges

Sec. 24-40. Billing Period.

-1 Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.

-2 Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.

Sec. 24-41. Liability for Payment.

-1 Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.

-2 The owner of the real estate shall have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

-3 Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances, or social security number of the person being billed.

Sec. 24-42. First Billings.

The rates, charges and surcharges fixed in this chapter shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Water Utility.

Sec. 24-43. City Subject to Charges.

For sewerage service rendered to the City, or any department, structure or property, thereof, the City shall be subject to the same rates and charges herein established for other persons, or to rates and charges established in harmony herewith.

Sec. 24-44. Consolidation of Accounts.

Where an industrial, commercial or other non-residential enterprise is operating in a unified manufacturing or service area composed of two or more contiguous parcels of real estate and is supplied with water through two or more meters, upon application by the owner or his authorized agent, a consolidation of the water meter readings may be made for the purpose of calculating the sewerage service charge.

Sec. 24-45. Notice of Capital Surcharge.

The City Clerk shall certify a copy of Special Ordinance No. S-233-81, enacted October 28, 1981, and all amendments thereto, heretofore or hereafter

provide constructive notice to the owners and purchasers of real property in Adams Township and St. Joseph Township that a capital surcharge may be imposed upon properties connected to, or to be connected to, the City Utility Sewerage System, in those areas of said townships formerly served by sewerage systems purchased or otherwise acquired by the City Utility.

Article IX. Delinquent Accounts  
Sec. 24-46. How Delinquencies Arise.  
Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Water Service.

Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24-49 List of Delinquent Fees and Penalties - Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Sec. 24-51. Reserved.

Article X. Accounting for Sewerage Service Charges

Sec. 24-52. The City Controller shall establish and maintain, for as long as user charges and surcharges are collected under the rate schedule instituted herein, accounts for the Sewage Works Improvement Fund as required by prior ordinances relating to the issuance of sewerage works revenue bonds now outstanding and further in accordance with the laws of the State of Indiana relative to the deposit and disbursement of public funds.

Sec. 24-53. Severability.

-1 The invalidity of any section, sentence, clause, paragraph, part or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, paragraph, part or provision of this Ordinance which can be given meaning without such invalid part or parts.

-2 All Ordinances or parts of Ordinances and sections of the Municipal Code of the City of Fort Wayne of 1974 in conflict herewith are hereby repealed.

-3 That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor and due legal publication hereof.

Thomas C. Henry  
COUNCIL MEMBER

Read the third time in full and on motion by Henry, seconded by Radd, and duly adopted, placed on its passage. PASSED by the following vote: Ayes: Savan, Bradbury, Eisbart, Giquinta, Henry, Radd, Stier, Talarico. Nays: Two, Burns, Schmidt. Date: 7-24-84, Sandra E. Kennady, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. 3-17-84 on the 24th day of July, 1984.

ATTEST: Sandra E. Kennady, City Clerk

Ban A. Eisbart, Presiding Officer.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1984, at the hour of 11:30 A.M., E.S.T.

Sandra E. Kennady, City Clerk.  
Approved and signed by me this 25th day of July, 1984, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr., Mayor  
I, the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. 3-17-84, passed by the Common Council on the 24th day of July, 1984, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 1984, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 1984.  
SANDRA E. KENNEDY, CITY CLERK.

7-4-11

On Aug. 5 in 1861 the U.S. government imposed the first income tax

ON THIS DATE

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Venus, Jupiter and Saturn. Those

evening stars are Mars, Mercury

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to the

Tomorrow's Calendar



## Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

all lines, neither of which shall total more than four solid lines  
the advertisement is set) - number of equivalent lines

3

207

1

211

422

equivalent lines at .230¢

\$ 97.06

48.53

1.50

\$ 147.09

Size of type 6 point

Size of quad upon which type is cast 6

I-Gazette Friday, June 29, 1984 6B

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Dated: June 26, 1984

Sandro E. Kennedy

67.

et, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Rose

Title CLERK

## PUBLISHER'S AFFIDAVIT

I, the undersigned, do hereby certify that I am the publisher of the

I appeared before me, a notary public in and for said county and state, the  
Drusilla Rose who, being duly sworn, says

CLERK

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published

in language in the city of FORT WAYNE, INDIANA

and county aforesaid, and that the printed matter attached hereto is a true copy.

published in said paper for one time the dates of publication being

6/29/84

I and sworn to me before this 29th day of June 19 84

Notary Public

November 29, 1985



NOTICE OF HEARING ON PROPOSED  
RATES AND CHARGES OF  
FORT WAYNE SEWAGE WORKS

Property owners and other interested parties in the City of Fort Wayne are hereby notified that on June 26, 1984, the Common Council introduced Ordinance No. G-84-06-22, thereby determining to establish rates and charges for services to be rendered by the sewage works. At a meeting of the Common Council to be held at 7:30 P.M. (Fort Wayne Time) on July 10, 1984, in the Council Chambers, there will be a public hearing on the matter of the rates and charges, and consideration of adoption of said Ordinance No. G-84-06-22, which provides in part as follows:

Sec. 24-3-5 Sewer Tap Permits

Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of fifty dollars (\$50.00) for each sewer tap permit for a standard six-inch service, a fee of ninety dollars (\$90.00) for each sewer tap permit for a special six-inch service (such as a sewer tap into a collection system manhole) and a fee of ninety dollars (\$90.00) for each sewer tap permit for a sewer service larger than six inches. The aforementioned charges will apply to similar types of taps into the City storm sewer system. Not later than 48 hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water and Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

Sec. 24-7. Penalty for Violations

Any landowner, firm or corporation who violates or fails to comply with any provision of this Chapter or of the Rules and Regulations of the Board of Public Works pertaining thereto, shall be deemed to have committed a Class 8 infraction and upon conviction thereof be subject to a fine of up to \$1000.00 per infraction as provided by Indiana Code 34-4-32-4. Each day that such violation(s) or noncompliance continues shall constitute a separate offense.

Article VI. User Charges

Sec. 24-30. User Volume Charges.

The water usage schedule upon which charges for services rendered by the Sewer Utility shall be based on water consumption unless otherwise metered or exempted in accordance with the following user classifications and the following charges for services for each such classification:

Service Charge (cents per 100 cu. ft.)

	Domestic	Manufacturing
Treatment	20.52	20.52
Conveyance, Collection, Billing	19.96	13.01
Capital	12.84	10.33
Pretreatment Administration	-0-	2.50
Total User Charge	53.32	46.36

Sec. 24-31. User Minimum Charges

In the event the monthly sewage service charge calculated in accordance with the water consumption schedule in Sec. 24-30 does not exceed the minimum monthly charge for each class of user as set forth thereafter user shall pay said minimum monthly charge in lieu of the charge calculated based on water usage, as follows:

Water Meter Size	Minimum Monthly Charge
3/4" - 1 1/4"	\$ 2.66
1" - 1 1/2"	9.40
2"	19.17
3"	38.52
4"	64.04
6" or larger	177.87

Sec. 24-32. User Flat Charges.

In the event any user is not a metered water customer, there shall be imposed flat charge rates as follows:

Classification of Customer	Monthly Flat Charge (1)
	In-City Out-City
Domestic User - Single Family Dwelling	\$5.33 \$6.39
Domestic User - Multi Family Dwelling	To be estimated by City
Commercial and Industrial User	To be estimated by City

(1) Monthly flat charges for multi-family dwellings should be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.

The utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustment, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)	
Treatment	20.52
Capital Charge	12.88
	33.40

-2 Variable Charge (cents per 100 cu. ft.)

A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge

In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

-4 Excess Strength of Wastes Surcharge

In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

	Cents Per Pound
Suspended Solids - (SS)	4.304
Biochemical Oxygen Demand - (BOD)	4.300
Phosphorus - (P)	41.193

-5 Capital Surcharge

In the event contract customer delivers sewage for treatment to City and in the event the property water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.

In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24-49. List of Delinquent Fees and

Penalties - Tax Duplicates - Collection.

Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.

In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.

Dated: June 26, 1984

6-29

Sandra E. Kennedy

Council

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

actual lines, neither of which shall total more than four solid lines  
of the advertisement is set) - number of equivalent lines

3

207

1

211

notice

422

columns wide equals equivalent lines at .230¢ \$ 97.06

48.53

ing rule or tabular work (50 per cent of above amount)

(50 cents for each proof in excess of two) 3 extra

1.50

CLAIM

\$ 147.09

Size of type 6 point

Size of quad upon which type is cast 6

967.

ect, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Rose

Title CLERK

PUBLISHER'S AFFIDAVIT

ina  
ity SS:

y appeared before me, a notary public in and for said county and state, the

Drusilla Rose

who, being duly sworn, says

CLERK

of the

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published

a language in the city of FORT WAYNE, INDIANA

nd county aforesaid, and that the printed matter attached hereto is a true copy,

ly published in said paper for one time, the dates of publication being

6/29/84

ad sworn to me before this 29th day of June 19 84

Notary Public

November 29, 1985

on expires



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

3

Body number of lines

207

Tail number of lines

1

Total number of lines in notice

211

COMPUTATION OF CHARGES

211 lines, 2 columns wide equals 422 equivalent lines at .230¢ \$ 97.06  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

48.53

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra

1.50

TOTAL AMOUNT OF CLAIM

\$ 147.09

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 1

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Rose

Date June 29 19 84

Title CLERK

PUBLISHER'S AFFIDAVIT

I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I appeared before me, a notary public in and for said county and state, the

Drusilla Rose

who, being duly sworn, says

CLERK

of the

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published

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and county aforesaid, and that the printed matter attached hereto is a true copy,

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published in said paper for \_\_\_\_\_, the dates of publication being

6/29/84

sworn to me before this 29th day of June 19 84

Notary Public

November 29, 1985

on expires

amount of the charges for sewerage service...  
Dated: June 26, 1984  
Sandra E. Kennedy



Fort Wayne Common Council

(Governmental Unit)

Allen County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines the advertisement is set) - number of equivalent lines

HOUSEWARES/HAL  
Plastic Hangers  
Paper Plates  
Garden Tools  
Candles  
Lawn Furniture

Smurf Toys 2  
Asst. Toys  
Exercise Kits  
Toy Group  
Pac Man Figur  
Knee Pads

WINNER NEED NOT BE

3  
207  
1  
211

columns wide equals 422 equivalent lines at .230¢ \$ 97.06  
rule or tabular work (50 per cent of above amount) 48.53  
50 cents for each proof in excess of two) 3 extra 1.50  
AIM \$ 147.09

Size of type 6 point

Size of quad upon which type is cast 6

that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

appeared before me, a notary public in and for said county and state, the  
Drusilla Roose who, being duly sworn, says  
CLERK  
NEWS-SENTINEL  
DAILY newspaper of general circulation printed and published  
language in the city of FORT WAYNE, INDIANA  
d county aforesaid, and that the printed matter attached hereto is a true copy,  
one time published in said paper for the dates of publication being

6/29/84

Drusilla Roose

sworn to me before this 29th day of June 19 84

June M. Perkins

Notary Public

expires November 29, 1985

Domestic - the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof. For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

Sec. 24-38. Waste Evaluation Charges  
All users discharging wastes into the system requiring continuing surveillance sampling and waste evaluation shall be subject to a monthly fixed charge to cover the costs of such services in the amount of \$90.00 per discharge point.

Article IX. Delinquent Accounts  
Sec. 24-46. How Delinquencies Arise.

Charges for sewerage service levied pursuant to this Chapter shall be due and payable on or before the due date stated on the bill. Any charge for sewerage service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with this Chapter and with Indiana Code Sections 36-9-23-31 through 36-9-23-34. A penalty of ten percent (10%) of the amount of the charges for sewerage service shall be attached to the delinquent charges.

Sec. 24-47. Collection Through Shutting Off Water Service.  
Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

Sec. 24-48. Collection Through Terminating Sewer Service.  
In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, as provided by the Rules and Regulations of the Utility adopted by the Board of Works, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the costs of terminating and reconnecting the sewer service, shall have been paid.

Sec. 24-49. List of Delinquent Fees and Penalties - Tax Duplicates - Collection.  
Delinquent charges for sewerage services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

Sec. 24-50. Collection Through Court Actions.  
In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services, penalty, and a reasonable attorney's fee in a civil action, and may foreclose a lien established by this Chapter in accordance with Indiana Code 36-9-23-34.



Fort Wayne Common Council

(Governmental Unit)

Allen County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Classification of Customer Monthly Flat Charge (1)  
In-City Out-City  
Domestic User - Single Family Dwelling \$5.33 \$6.39  
Domestic User - Multi Family Dwelling To be estimated by City  
Commercial and Industrial User To be estimated by City

(1) Monthly flat charges for multi-family dwellings should be based on the number of family units accommodated by the system multiplied by the single family dwelling monthly charges. Monthly flat charges for commercial and industrial establishments may be based either on number of employees; the manufacturing processes used; other pertinent sewer use indicators; or outfall measurements where such data is available.  
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Sec. 24-33. Contract Customers - Unit and Other Charges.

In the event the City consummates a contract to serve as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or its environs, said contract shall provide for the following unit charges:

-1 Volume Charge (cents per 100 cu. ft.)  
Treatment 20.52  
Capital Charge 12.88  
33.40

-2 Variable Charge (cents per 100 cu. ft.)  
A variable charge for conveyance and collection costs attributable to the portion of the conveyance system and operating costs associated therewith used by the contract customer shall be computed by the City and added to the volume charge.

-3 Flat Charge  
In addition to the foregoing charges based on volume of sewage treated and conveyed each contract customer will pay a monthly billing charge of \$.60 and a monthly surveillance charge of \$90.00.

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In the event a contract customer contributes waste having a strength in excess of domestic waste characteristics, as hereinbefore defined, a surcharge based on the following unit process charge will be in effect for all waste found to be in excess of limitations:

Cents Per Pound  
Suspended Solids - (SS) 4.304  
Biochemical Oxygen Demand - (BOD) 4.300  
Phosphorus - (P) 41.193

-5 Capital Surcharge  
In the event contract customer delivers sewage for treatment to City for a period of 90 consecutive days which is in excess of base MGD contracted for, then customer will be subject to an additional capital charge computed at the capital charge (per 100 cu. ft.) then in effect times the excess percentage of MGD represented by dividing actual MGD by contracted MGD.

-6 Other provisions  
In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by this Chapter, the City shall have the right to impose all charges, limitations and penalties applicable to any noncontract user by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that the contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge System acceptable to the City and in conference with the City's obligations under Sec. 204(b) (1), Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35-905-8, 35-928-1 and 35-928-2, and 35-935-13.

Sec. 24-34. Bulk Waste Charges.

Industrial - For all industrial waste suitable for disposal directly through the plant digesters which has been delivered by the Customer to City's plant - \$178.50 per load. For purposes of computing charges hereunder, a load is defined as 5000 gallons of tank capacity or fraction thereof.

Domestic - For all domestic waste delivered to plant by customer's truck or tank - \$26.10 per load. For purposes of computing charges hereunder, a load is defined as 1,000 gallons of tank capacity or fraction thereof.

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Dated: June 26, 1984

6-29

Sandra E. Kennedy

the advertisement is set) - number of equivalent lines

3

207

1

211

columns wide equals 422 equivalent lines at .230¢ \$ 97.06

rule or tabular work (50 per cent of above amount) 48.53

0 cents for each proof in excess of two) 3 extra 1.50

AIM \$ 147.09

Size of type 6 point

Size of quad upon which type is cast 6

that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Rose

Title CLERK

PUBLISHER'S AFFIDAVIT

na  
y SS:

appeared before me, a notary public in and for said county and state, the

Drusilla Rose

who, being duly sworn, says

CLERK

of the

NEWS-SENTINEL

DAILY

newspaper of general circulation printed and published

language in the city of FORT WAYNE, INDIANA

d county aforesaid, and that the printed matter attached hereto is a true copy,

published in said paper for one time, the dates of publication being

6/29/84

Drusilla Rose

sworn to me before this 29th day of June 19 84

June M. Perkins

Notary Public

expires November 29, 1985



PUBLISHER'S CLAIM

LINE COUNT		
Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	3
Body	number of lines	207
Tail	number of lines	1
Total number of lines in notice		211

COMPUTATION OF CHARGES		
211 lines, 2 columns wide equals 422 equivalent lines at .230¢		\$ 97.06
Additional charge for notices containing rule or tabular work (50 per cent of above amount)		48.53
Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra		1.50
TOTAL AMOUNT OF CLAIM		\$ 147.09

DATA FOR COMPUTING COST		
Width of single column 9.6 picas	Size of type 6	point
Number of insertions 1	Size of quad upon which type is cast 6	

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Drusilla Rose

Title CLERK

PUBLISHER'S AFFIDAVIT

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CLERK

NEWS-SENTINEL

DAILY newspaper of general circulation printed and published

language in the city of FORT WAYNE, INDIANA

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Notary Public

expires November 29, 1985

Anchor Hocking

Glassware

BOYS DEPT

Pants

Hanes Underwear

Dress Sox

3 pc., 2 pc. Suits

Jeans

Sweaters

Shorts

Swim Suits

Briefs • T-shirts

MEN'S WORK/CLO